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1898

LYSIAS' ORATIONS

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1898

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Handy Literal Translations

THE ORATIONS

OF

LYSIAS

LITERALLY TRANSLATED

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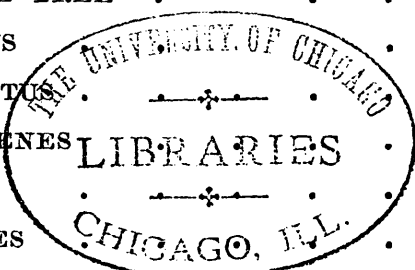
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ORATIONS OF LYSIAS

ORATION II.

FUNERAL ORATION.

1. If I thought it were possible, O fellow-citizens who are assembled at this burial-place, to set forth in words the valor of those who lie here, I should blame the men who invited me to speak about them at a few days' notice. But as all time would not be sufficient for (the combined efforts) of all men to prepare an address adequate to their deeds, the city seems to me, in providing for men to speak here, to make the appointment at short notice, on the supposition that the speakers would under the circumstances meet with less adverse criticism. 2. And though my words relate to these men, the chief difficulty is not concerning their deeds, but with those who formerly spoke upon them. For the valor of these men has been the occasion of such abundance (of composition) both by those able to compose, and those wishing to speak, that, although many noble sentiments have been uttered about them by men in the past, yet much has been left unsaid, and enough can yet be spoken at the present time. For they have experienced perils on land and sea, and everywhere and among all men, who, while bewailing their own hard fate, yet sing the praises of the courage of these men.

3. First, then, I will review the hardships of our ancestors, following the traditions. For all men should keep them too in mind, both celebrating them in song, speaking of them in maxims about the good, honoring them at such times as this, and instructing the living by the deeds of the dead.

4. The Amazons were once the daughters of Ares, living by the river Thermodon, and they alone of the inhabitants of that region were armed with metal, and first of all they mounted horses, by which they unexpectedly, because of the inexperience of their adversaries, overtook those who fled from them, and they left their pursuers far behind. So for their spirit they were thought men, rather than women for their nature. For they seemed to surpass men in spirit rather than to be inferior in *physique*. 5. And after they had subdued many tribes and in fact enslaved the surrounding nations, they heard great reports about this country, and for the sake of glory took the most warlike of their tribes and marched against this city. And after they met these brave men, they came to have their souls like their nature, and with changed hearts seemed to be women rather from their conduct in danger than from their forms. 6. And they alone were not allowed to learn from experience and to plan better for the future, and they might not go homeward and tell of their discomfiture and the valor of our ancestors; for they died here and paid the penalty for their rashness, and made the memory of this city immortal through valor, and rendered their own country nameless through their defeat here. These women then, through their unjust desire for a country not their own, justly lost their own.

7. After Adrastus and Polyneices had joined in the expedition against Thebes and had been worsted in

battle, the Thebans would not let them bury their dead. So the Athenians, who believed that if these men did wrong they had (already) the greatest punishment in death, and that the gods of the lower world were not receiving their due, and that by the pollution of holy places the gods above were being insulted, first sent heralds and demanded them to grant the removal of the dead, (8) thinking it the part of brave men to punish their enemies while alive, but of men who distrusted themselves to show their courage on the bodies of the dead. As they were unable to obtain this favor, they marched against the Thebans, although previously there was no reason for hostility against them, and not because they were trying to please the living Argives, (9) but because they believed those who died in battle should obtain the customary rites, they ran into danger against the Thebans in the interests of both, on the one hand, that they might never again offer insult to the gods by their treatment of the dead, and on the other, that they might not return to their country with disgrace attached to their names, without fulfilling Greek customs robbed of a common hope. 10. With this in mind, and thinking that the chances of war are common to all men, they made many enemies, but with right on their side they came off victorious. And they did not, roused by success, contend for a greater punishment for the Thebans, but they exhibited to them their own valor instead of their impiety, and after they had obtained the prizes they struggled for, the bodies of the Argives, they buried them in their own Eleusis. Such were they (who fought) for the dead of the Seven at Thebes.

11. And afterwards, after Heracles had disappeared from men, and his children fled from Eurystheus and were hunted by all the Greeks, who, though ashamed

indeed of what they did, feared the power of Eurystheus, they came to this city and took refuge at the altars. 12. And though Eurystheus demanded it, the Athenians would not give them up, but they revered the bravery of Heracles more than they feared their own danger, and they thought it more worthy of themselves to contend for the weak on the side of justice than to please those in power and surrender those wronged by them. 13. And when Eurystheus marched on them at that time at the head of the Peloponnesus, they did not change their minds on the approach of danger, but held the same opinion as before, though the father (*Heracles*) had done them no special good, and the Athenians did not know what sort of men these (children) would turn out to be. 14. But they thought it was a just course of action, though there was no previous reason for enmity with Eurystheus, and they had no longer hope of reward except that of a good reputation; so they incurred this danger for the boys, because they pitied the down-trodden, and hated the oppressors, and tried to hinder the latter and aid the former, believing it a mark of liberty to do nothing by compulsion, and of justice to aid the wronged, and of courage to die, if need be, fighting for both. 15. And both were so proud that Eurystheus and his party did not seek to gain any favor from willing men, and the Athenians were unwilling that Eurystheus, even if he came as a suppliant, should drive out their suppliants. So they summoned a force and fought and conquered the army from the whole of Peloponnesus, and brought the children of Heracles to safety, dispelled their fear and freed their souls, and because of their father's courage they crowned them with their own perils. 16. And they, while children, were much more fortunate than

their father; for he, though bringing much happiness to all men, made his own life full of toil and strife and emulation, and punished others who were wrong-doers, but he could not punish Eurystheus who was his enemy and had sinned against him. But his sons through this city saw on the same day their own safety and the punishment of their enemies.

17. So many occasions came to our ancestors for fighting for this idea of justice. For the commencement of their life was just. For they were not, like many, collected from all quarters, and they did not settle here after expelling the earlier inhabitants, but they sprang from the soil and it was both their mother and country. 18. And they were the first and only ones at that time to banish the ruling families and establish a democracy, in the belief that freedom of all is the greatest harmony, and making the rewards of their dangers common, they administered the government with free minds, (19) by law honoring the good and punishing the bad, for they thought the wild beasts struggle with one another, but it is fitting for men to define justice by law, and to obey argument, and to serve these by their actions ruled by law and taught by argument.

20. So being of noble descent and of one mind, the ancestors of these who lie here did many brave and wonderful things, and their descendants everywhere left by their valor everlasting memorials of themselves. For in behalf of all Greece they risked their lives before the countless hordes of barbarians. 21. For the king of Asia, not satisfied with his own fortunes, but hoping to enslave Europe, sent an army of five hundred thousand. And thinking, if they could make this city a willing ally or subdue against its will, they would easily reduce the rest of Greece, they went to

Marathon, believing that the Greeks would be deserted by their allies, if they should bring on the conflict while Greece was still undecided how it was best to ward off the invaders. 22. And still such an opinion prevailed among them about the city from the previous conflicts, that they believed if they should advance against another city, they would contend with both that and the Athenians; for these would eagerly come to aid the oppressed; but if they should come here first, no other Greeks would dare by aiding others to bring on themselves open hostility (for the sake of the Athenians). 23. These then were their plans; but our ancestors, taking no account of the dangers in war, but believing that glorious death left immortal testimony to good deeds, did not fear the multitudes of the enemy, but trusted their own valor. And being ashamed that the barbarians were in their country, they did not wait for their allies to learn of the matter and aid them, and they did not think they ought to be indebted for their rescue to others, but the other Greeks to them. 24. With one accord they rushed forward, few against many; for they believed death was theirs in common with all men, and they were brave with only a few, and on account of death their lives were not their own, and they would leave a memory of themselves from their dangers. And they thought that even with allies they could not have conquered those whom they did not conquer alone. And if worsted, they would perish only a little before the rest, and if they conquered, they would free the others. 25. And becoming brave men they did not spare themselves, and did not grudge their lives for valor, rather reverencing the traditions among them, than fearing the danger from the enemy. So they erected trophies for Greece in their country on the borders,

over the barbarians who for gain had invaded a foreign land. 26. So quickly they incurred this danger that the same messengers announced to the other Greeks that the barbarians had made the invasion, and that our ancestors had conquered. No one of the rest (of the Greeks) feared for a coming danger, but rejoiced over their own safety. So it is not remarkable when such things happened long ago if the glory of them as if recent is still lauded by all men. 27. And after this, Xerxes, the king of Asia, despising Greece, and buoyed up by false hopes, and disgraced by the past, and grieved at the disaster, angry at its causes, untried by defeat, and with no experience with brave men, prepared for ten years and came with twelve hundred ships, and led a multitude of foot so vast that it would be a task indeed to recall all the tribes collected with him. 28. And the greatest proof of its size is this; when he could have transported his infantry on a thousand boats across the narrowest part of the Hellespont from Asia to Europe, he did not wish to, believing it would take much time. 29. But overlooking the natural obstacles and the deeds of the gods and human intelligence, he made a road through the sea, and forced a voyage through the earth, joined the Hellespont, and channeled Athos. No one agreed, but some reluctantly submitted, and others gave way willingly. For they were not able to ward him off, but some were corrupted by bribes. And both were persuasive, gain and fear. 30. But the Athenians, while Greece was in this condition, embarked and helped at Artemisium, and the Lacedaemonians and some of the allies met at Thermopylae, thinking on account of the narrowness of the pass they could check their advance. 31. But when the crisis came, at the same time the Athenians

conquered in the naval battle, but the Lacedaemonians (perished), not failing in courage, but deceived in the number (of the enemy). For they thought they would ward off the enemy and so risk (their lives), (and they were) not worsted by the enemy, but died where they were ordered to fight, (32) and in this way the Spartans were unfortunate while the Persians gained entrance. They marched to this city, and our ancestors, learning of the misfortune of the Spartans, and in perplexity in the dangers which surrounded them, knowing that if they should attack the enemy by sea they would sail with a thousand ships and take the city deserted, and if they embarked on triremes they would be taken by the land army, and they could not do both, ward off (the enemy) and leave sufficient guard behind, (33) while these two questions were before them, whether it was best to leave their country or going over to the barbarians to enslave the Greeks, they believed that freedom with virtue, poverty and exile was better than slavery of the country with disgrace and plenty, so for the sake of Greece they left the city, that against each in turn but not against both they might risk their forces. 34. So they placed the children and women in Salamis, and collected the naval force of the allies. Not many days after, the infantry and the sea-force of the barbarians came, (a force) which any one would fear, considering how great and terrible a danger was encountered for the sake of the freedom of Greece. 35. And what feelings had those who saw them in those ships, while their safety was hazardous and the approaching conflict of doubtful issue, or those who were about to contend for their loved ones, for the prizes in Salamis? 36. Such a multitude of the enemy surrounded them from all sides that the least

of their impending dangers was the prospect of death, and the greatest calamity was what they expected to suffer in subjection to the victorious barbarians.

37. Doubtless through their trials they frequently pledged one another, and probably commiserated their own fortunes, knowing how few were their own ships and seeing many of the enemy's, and realizing that the city was being devastated and filled with barbarians, and the temples burned, and ruin close at hand.

38. They heard together the paeon of Greek and barbarian, the exhortations of both and the cries of the vanquished, the sea full of the dead, wrecks coming together, both friend and foe, and because the battle was long undecided, thinking now they have conquered and are saved, now they are worsted and lost.

39. Surely through their fear they thought to see much they did not see, and to hear much they did not hear. What prayers did not rise to the gods, or reminders of sacrifices, compassion for children, longing for wives, pity for parents and meditations on what would result in case of defeat?

40. What god would not pity them for the magnitude of the danger? What man would not weep? Who would not wonder at their daring? Truly these surpassed all men by far in point of courage, both in their plans and in the face of the danger, leaving the city, embarking upon the ships, opposing their own lives, few as they were, to the Persian host.

41. And they showed all men by their naval victory that it is better to struggle for freedom with a few than for their own slavery with many subjects of the king.

42. These made the greatest and most honorable contribution in behalf of the freedom of the Greeks, the general Themistocles, best able to speak, to understand and to act; more ships than the allies, and men

of the most experience. And who of the other Greeks would have claimed to be equal in intelligence, numbers and courage? 43. So that justly they took without dispute the rewards of the naval battle from Greece, and gained success in proportion to their dangers and proved to the Asiatic barbarians that their courage was genuine and native.

44. So in the naval battle they conducted themselves thus and incurred the greatest part of the danger, and by their own valor gained freedom for themselves and the rest. Afterwards when the Peloponnesians were putting a wall across the Isthmus and were content with their own safety, supposing they were rid of the danger by sea, and intending to watch the rest of the Greeks falling into the power of the barbarians, (45) the Athenians were angry and advised them if they had this idea to put a wall about all the Peloponnesus; for if they, betrayed by the Greeks, should act with the Persians, they would have no need of their thousand ships, nor would the Isthmian wall help the Peloponnesians. For the control of the sea would be the king's without trouble. 46. And they were convinced and realized they were doing wrong and making poor plans, and that the Athenians spoke fairly and were giving them the best advice, and so they sent aid to Plataea. And when most of the allies under cover of night fled from the ranks because of the numbers of the enemy, the Lacedaemonians and the Tegeans put the barbarians to flight, and the Athenians and the Plataeans conquered in the fight all the Greeks who had despaired of freedom and submitted to slavery. 47. And on that day they brought about the most glorious conclusion of all their trials, and secured freedom for Europe, and in all times of danger they are acknowledged by all,

both those with whom and against whom they fought, to have proved their own valor, both alone and with others, both on land and on sea, against barbarians and Greeks, and to have become the leaders of Greece.

48. Later, when the Greek war broke out through jealousy as to the past and envy of what was done, while all were envious and each needed but small grievances, when a naval battle was fought by the Athenians against the Aeginetans and their allies, they took seventy triremes. 49. And while they were struggling with Egypt and Aegina at the same time, and while the men of military age were away on sea and in the army, the Corinthians and their allies, thinking they would either attack a deserted country or they (*the Athenians*) would withdraw from Aegina, marched out and took Gereneia. 50. And the Athenians, some being at a distance and some near, did not dare to summon either, but trusting their own spirits and despising the invaders, the old men and the boys thought they alone could face the danger, (51) the former gaining courage from experience and the latter from their natures. And they in themselves became brave and the boys imitated them, the older men knowing how to command and the boys being able to obey commands. 52. Under the leadership of Myronides they set out for Megaris and conquered in battle all the forces (of the enemy), by those past service and those not yet ready for it, going into a foreign country to meet those who presumed to invade theirs. 53. And they set up a trophy for this glorious deed of theirs, and shameful act of the enemy, and the men, some no longer strong in body, the rest not yet strong, became greater in spirit and went back home with great renown, the latter to their teachers, the former to meditate on the future.

54. It is no easy task for one man to enumerate the brave deeds of so many, nor to tell in a single day the acts of all time. For what speech or time or orator could adequately testify to the valor of these men lying here? 55. For after countless struggles and signal contests and glorious encounters they have made Greece free, and proved their country the greatest, which ruled the sea for seventy years, kept the allies from revolt, (56) not permitting the many to be enslaved by the few, but forcing all to share alike. nor weakening the allies, but establishing them, so that the great king no longer longed for others' goods, but yielded up some of his own possessions and trembled for the future. 57. No ships sailed for Asia in that time, nor was a tyrant established among the Greeks, nor was a Greek city enslaved by the barbarians. Such was the moderation and fear their valor produced on all men. For this reason they alone must be the champions of the Greeks and leaders of the cities.

56. And also in adversity they showed their valor. For when the ships were lost in the Hellespont, either through the fault of the commander or by the will of the gods, and when that great disaster resulted to us and all the Greeks, they showed not long after that the power of the city was the safety of Greece. 59. For under the leadership of others those conquered the Greeks in naval battle who formerly had not embarked upon the sea, and they sailed to Europe, and enslaved Greek cities and established tyrannies, some after our disaster, and some after the victory of the barbarians. 60. So it would be fitting for Greece to grieve at his tomb, and bewail those who lie there, as if her freedom were buried with their valor, so unfortunate is Greece in being bereft of such men,

and so fortunate is the king of Asia in meeting other leaders; for bereft of these, slavery is their fate, while in the others a desire springs up to emulate the wisdom of their ancestors.

61. But I have been led off to lament for all Greece; but it is fitting to remember these men both in private and in public, who hated slavery and fought for justice and struggled for the democracy, and having made all men their enemies they went to the Piraeus, not compelled by law, but impelled by instinct, imitating in fresh dangers the valor of their ancestors, (62) and by their own courage securing the city as a common possession for the rest also, choosing death and liberty rather than life and slavery, no less through shame of their lack of success than through anger at their enemies, preferring to die in their own country to living in a foreign land, having as allies oaths and agreements, and as enemies both the former ones and their own citizens. 63. But not fearing the number of their opponents, but risking their own lives, they set up a trophy to their enemies, and as evidence of their valor they buried the Lacedaemonians near this memorial. For they proved the city great and not small, and rendered it harmonious and not dissentious, and erected the walls instead of pulling them down. 64. And those of them who returned, showing plans like the deeds of those who lie here, devoted themselves not to the punishment of their enemies but the safety of the city, and neither being able to suffer encroachment on their privileges nor desiring to have more, give a share of their freedom even to those wishing to be in slavery, but they were not willing to share their slavery. 65. And with the bravest and most glorious deeds they repelled the charges against them, that the city met with disaster. not by

their cowardice nor the enemy's valor. For if in dissension with one another they could enter their own country in spite of the presence of the Peloponnesians and their other enemies, evidently if they had been agreed they would have made a stand against them.

66. So those are admired by all men for their perils at the Piræus. And it is also fitting to praise those lying here, who aiding the people and fighting for our safety, regarded valor as their country and so ended life. For this the city bewailed them and gave them a public funeral and granted them to have for all time the same honor as the citizens.

67. Those who are now buried, aiding the Corinthians who were wronged by their old friends, became renewed allies, not sharing the ideas of the Lacedæmonians, (for they envied their good fortunes, while the former pitied them when wronged, not remembering the previous hostility, but caring more for the present friendship) made evident to all men their own valor. 68. For they dared, trying to make Greece great, not only to incur danger for their own safety but to die for the liberty of their enemies; for they fought with Sparta's allies for their freedom. And when victorious they thought them worthy of the same privileges which they enjoyed, and if unsuccessful they would have fastened slavery firmly on the Peloponnesians.

69. As they so conducted themselves their life was pitiful, and their death desired; but these lived and died praised, being brought up in the virtues of their ancestors, and on becoming men they kept their fame untarnished and exhibited their own valor. 70. For they brought many benefits to their country, and made good the ill-successes of others, and carried war

far from their own land. And they ended their lives as the good should die, having paid what is due to the country and leaving grief for those who trained them. 71. So it is fitting for the living to bewail these men and pity themselves and pity their relatives in future. For what pleasure will there be left them after these men are buried, who from their belief in the importance of virtue before all else lose their lives, made their wives widows and their children orphans, and rendered desolate their brothers, fathers and mothers. 72. For their many sufferings, I envy the children who are too young to know of what sort of parents they are bereft, and I pity their parents who are too old to forget their trial. 73. For what could be more terrible than this, to have and bring up children, and in old age become helpless and without hope, become friendless and without resources, and be pitied by the same ones who once envied them, and have death seem more to be desired than life? The braver men they were, the greater the grief for those left behind. 74. And how are they to cease grieving? In the crises of the state? But others should fittingly remember them at such a time. In the time of common prosperity? But is it then reasonable that they grieve, as their children are dead, and the living are reaping the benefits of their valor? But in private troubles, when they see those formerly their friends leaving them in their distress, and their enemies exulting over their misfortunes? 75. It seems to me that the only return we can make to these lying here is to treat their parents as themselves, and show a father's love to their children, and render such aid to their wives as they would if living. 76. For to whom do we owe greater thanks than to these men before us? Whom living should we make

more of than their relatives, who like the others share their valor, but at their death have only sorrow.

77. But I know not why we should grieve. For we were not unaware that we were mortal. So why should we now mourn for those (who have suffered) what we have long realized we should suffer, or why be so downcast at natural occurrences, in the knowledge that death is the common experience of the evil and the good? For he (*Death*) neither overlooks the base nor loves the good, but comes equally to all.

78. For if it is possible for men who escaped dangers by word to be immortal for all time, the living would bewail the dead for all time. But now nature, subject to diseases and old age and the divinity who presides over our fates are inexorable. 79. So it is fitting to regard those men most fortunate, who have met their end, risking their lives for the noblest and best things, not entrusting themselves to fortune, nor waiting the appointed death, but choosing the noblest. For memories of them are undying, and their honors envied by all men. 80. They are mourned as mortal for nature's sake, but are sung of immortal for their valor. For they are publicly buried, and for them are held contests of strength and wisdom and wealth, as if those dying in war are to receive the same honor as the immortals. 81. Thus I praise their death and envy (them), and they are the ones of all men who I believe are the happiest in coming into the world, who, though in possession of mortal bodies, have left an immortal memory for their valor. But yet we must observe the usual customs and keeping our ancestral rites, mourn the dead.

ORATION V.

FOR CALLIAS.

1. If Callias were contending for anything else than for his freedom, gentlemen of the jury, I should be satisfied with what the others have said. But now I think it would be a shame not to aid Callias as well as I can, as far as justice warrants it, for he demands and begs me (for the service), and is a friend of mine and (was) of my father as long as he lived, and many business transactions took place between us. 2. I used to think that he so conducted himself in the city as to obtain some honor at your hands much rather than be brought into such danger on such a charge (as this). But now designing men make life no less dangerous for the innocent than for wrong-doers.

3. And you ought not to reward as trustworthy the testimony of his slaves, and as unreliable the evidence of these men, when you recall that no one, either a private citizen or an official, ever brought an action against Callias, but while living in this city, he benefited you in many ways, and he has reached this time of life without incurring any charge at all. These, on the other hand, while they have suffered greatly during their lives, and gone through much misery, just as if they worked much good, make speeches on questions of freedom. And I do not wonder. 4. For they know that if they are caught in lies they will have no worse lot than at present, and if they pull

the wool over your eyes they will be freed from their present miseries. Moreover, it is not right to consider as trustworthy, either as accusers or witnesses, such men as give testimony about others at a great gain to themselves, but much rather such only who run some risk by aiding public interests. 5. Also it seems to me fair to consider that the trial is not confined to these men, but is of importance to all in the city. For these are not the only ones who own slaves, but all other citizens also. And the (slaves), fixing their attention on the fate of these, will no longer watch to see what good action they may do to their masters to gain their freedom, but what slanderous accusation they may make (to obtain it).

ORATION VII.

THE OLIVE TREE.

1. I used to think, (members of the) Boulè, that it was possible, if one wished, to keep quiet, and not to be troubled with lawsuits and vexatious business; but I have now fallen in with such unlooked-for charges and such villainous accusers that, were it possible, it seems to me even unborn generations must fear for what is before them. For through this sort of men those who have done no wrong are in as great danger as those who have committed the greatest crimes. 2. The trial is the more perplexing to me, as I was first charged on the indictment with having cut down a sacred olive on my land; and my accusers went to the men who had bought the fruit of the olives, making inquiries. As they could find no proof against me in this way, they now charge me with having cut down an old stump, thinking that this charge will be the hardest for me to gainsay, and the easiest for them to prove what they wish. 3. And I am compelled, on matter which they have brought into court fully worked up, to fight for the enjoyment of country and property, having only heard the charges at the same moment as you who are to decide the case. So I shall tell you everything from the beginning.

4. The place formerly belonged to Peisander. When his estate was confiscated, it was given by the people

to Apollodorus of Megara. He farmed it some time and a little while before the time of the Thirty, Anticles bought it of him and let it. And I bought it of Anticles in time of peace. 5. So I think, (members of the) Boulè, that it is my duty to prove that when I bought the place there was not an olive tree nor stump upon it. For, if before that time there had been ten thousand olives, I don't think I could justly be made to suffer for it. If the olives were not injured by me, I could not be held accountable for the crimes of others. 6. You all know that among the other evils caused by the war was this, that while estates at a distance from the city used to be plundered by the Lacedaemonians, the estates near it used to be sacked by our own citizens. Would it be at all just for me to pay the penalty for the damage done by our public disasters? Especially as the place, on account of its confiscation, was abandoned for more than three years. 7. It is not to be wondered at if olive trees were destroyed at a time when it was impossible for us to protect our own property. You know, (members of the) Boulè, especially such of you as have charge of these things, that there were at that time many places thick with olives, both private and sacred ones, most of which have now been cut down, and the land has become bare. You would not think of inflicting punishment on those who owned the place in peace and war, when it was other people who cut them down. 8. If those who farmed the place at different times of the period are not held responsible, all the more ought those who did not buy until the peace, be considered harmless by you.

9. However much I might say about the place before I bought it, I think I have said enough. Within five days after I obtained the place I let it out to

Callistratus in the archonship of Pythodorus. 10. He farmed it two years, receiving no olive tree, sacred or otherwise, nor any olive stump. Demetrius had it the third year. In the fourth year I let it to Alcias, a freedman of Antisthenes who has been dead three years. Finally, Proteus hired it. Come here, witnesses

WITNESSES.

11. When that time elapsed I farmed it myself. My accuser says that it was during the archonship of Sumiades that I cut down the olive. But those who farmed it before I did, and hired it many years of me, assure you that there was no olive on the place. What can be clearer than that my accuser is lying? It could not be possible if there were no tree there, that I, farming the place last, cut it down.

12. Formerly, (members of the) Boulè, when men said that I was sharp and careful, and would do nothing without a plan and purpose, I was annoyed and preferred that they should speak of me as they ought; now, however, I should like all of you to have this opinion about me, that you may believe that I took good care to see — since (as he says) I was taking such matters in hand — what profit there was in cutting it down, and what penalty for so doing, what good I should have had if I escaped detection, and what I should have suffered at your hands if I was detected. 13. For men do not do things of this kind out of lawlessness, but for gain. And it is fitting for you to see to it that the prosecutors make their charge on this ground, proving what advantage (the accused have) in doing this wrong. 14. (Nicomachus) cannot show that I did it on account of my poverty, nor that the value of the place was lessened for me by the olive being there, nor that it interfered with the

vines, or was near the house, nor that I was ignorant of the danger I was in before you for doing it. But I can show you that a tremendous penalty would have been the result, had I cut it down. 15. For I was cutting the olive in broad daylight, as though, so far from keeping it a secret from all, it was necessary for every Athenian to know it. If the deed had been merely a disgrace, perhaps a chance passer-by would not have troubled himself about it. I was risking not disgrace, but great punishment. 16. Should I not be the most wretched of all men if my slaves, being acquainted with my crime, became no longer my slaves, but my masters for the rest of my life? For I could not punish them for the greatest offense they might choose to give. For they would know well that it was in their power, by turning informers, to be revenged on me and get their own freedom. 17. Supposing it had entered my head to disregard my slaves, how should I have dared, when so many persons had rented the place, and every one of them would have known it, to cut down the olive merely for gain? Especially since, as there is no limit to the liability of those who farmed the place, it equally concerned them all that the stump should remain intact, so that if any one charged them they could transfer the charge to their successor. They have evidently cleared me, and if they have lied have become participants in the crime.

18. Again, supposing I had squared matters with them, how could I have bribed all who are present or the neighbors, who not only know about each other's public affairs, but also about those we try to keep a secret from all. Some of these are my friends, but others are not on good terms with me. 19. These my accuser should have brought as witnesses, and not

made the charge at random. He says I stood near while my slaves cut out the stump and the driver put the stump in his cart and went away with the wood. 20. Then was the time, Nicomachus, for you to summon the witnesses who were there and show up the crime. You would have left me no escape, and if I were hated by you, you would have had revenge in this way. If you did it from patriotism, having (21) exposed me in this manner, you would not seem to be an informer, and if you desired gain, in this way could you have obtained most. As the crime was clear I should have had no means of safety if I did not bribe you. As you did none of these things, you seem, by your assertions, to be destroying me, having said in the prosecution that no one wishes to testify on account of my influence and wealth. 22. If, when you said you saw me cutting down the olive, you had brought the nine archons or some one else from the Areopagus, no further witnesses would be needed. For thus the very men who judge the case would have known that you spoke the truth. 23. I am placed in a very unfair position. If he had produced witnesses he would have expected you to believe them, but since he has none he thinks to turn this to my disadvantage. And I do not wonder at this. For in a case like this he would not lack witnesses and arguments at the same time. But I do not think you hold the same opinion he does. 24. You know that there were in the country, in other places of mine, many olives and burnt stumps which, if I had set my heart upon it, it would have been much easier for me to injure, cut down and encroach upon, as my crime was likely to be less apparent on account of the number of trees. 25. Thus I make them as much account as my country and other possessions, running the risk I

do of losing both. / I shall bring before you as witnesses those men who act as inspectors every month, and send collectors every year. / No one of these men ever fined me for farming the ground about the olive.

26. It is very probable that taking such care about the small fines I should pay no attention whatever to my bodily safety. Am I shown to take such care of the many olives, against which I might have committed the trespass, but called to account for the very olive which it was not possible to dig up without detection?

27. Was it not easier for me, (members of the) Boulè, to break the laws during the Democracy than under the Thirty? I do not say this because I had any influence at that time or as being now in a position of distrust, but it was easier for any one who wished to do wrong then than it is now. I am not charged with doing this or any other wrong during that time.

28. Unless I of all men had been most ill-disposed to myself, how could I have attempted to cut an olive from a piece of ground on which there was not a single tree except, as he says, the stump of one olive, about which the road ran on both sides, with neighbors dwelling on all sides, and perfectly open to the view of all? Would any one have been so utterly reckless, such being the case, as to have done such a deed?

29. I think it strange that those men appointed by the city to look after the sacred olives never fined me for encroaching upon the trees nor brought me to trial on the charge of cutting them down, but that this man, who is not a neighbor, nor an inspector, nor old enough to know about such things, has entered me on the indictment as having destroyed an olive.

30. I wish you not to place more trust in the assertions of my accuser than you do in the facts them-

selves, nor accept the word of my personal enemies in matters which you yourself know about, but to form your opinions from what I have told you and from the rest of my conduct as a citizen. 31. For I did everything allotted to me in a grander manner than I was compelled to do by the state: equipped a trireme, supplied a chorus, and performed all my other duties more expensively than the rest of the citizens. 32. If I had done these things in a moderate way, and not expensively, I should not be fighting against exile and for my possessions, but should be worth more and not unjustly be on trial for my life. If I had committed the crime with which he charges me I should have gained nothing, but only brought myself into difficulty. 33. You all would agree that it is more just to accept weighty proofs in a great case and to regard as more trustworthy those things to which the whole city testifies, than those which the prosecutor alone asserts.

34. Look at the case, (members of the) Boulè, from what took place besides. I went to him, and in the presence of witnesses said that I now had all the slaves of which I had been possessed at the time I bought the place, and I was ready, if he wished, to give them up to be tortured, thinking that this would be the strongest test of his assertions and of the facts. 35. But he would not take them, saying that there was no trusting slaves. It seems to me strange that slaves when tortured make damning statements about themselves, knowing well that it will kill them, but prefer to be tortured than to inform on their masters to whom they are naturally ill-disposed, when by doing so they could free themselves. 36. If Nicomachus had asked for them, and I had refused to give them up, it would be evident that I thought

them conscious of my guilt. As he did not wish to take them when offered, you rightly can have the same opinion about him, for the danger was not by any means evenly divided. 37. Had they denounced me, there would have been no escape for me. If they had not testified what he wished he would have suffered no penalty. So that it devolved a great deal more on him to take them than on me to offer them. But I was thus zealous, thinking it was for my interest to have you learn the truth of the matter either from the evidence of slaves or freedmen or facts.

38. Consider then, (members of the) Boulè, whether you ought to trust me for whom many persons have given testimony, or my accuser for whom no one dares testify, and whether it is more likely that he lied when there was no risk to himself, or that in the face of such great danger I committed the act, and whether you think he made the accusation merely for the good of the city or as an informer.

39. For I think you know that Nicomachus, induced by my personal enemies, brought the case into court, not hoping to prove me guilty, but expecting to be bribed. For, in proportion as such charges are most easily imputed and most difficult to refute, so much the more do all men endeavor to avoid them. 40. I, (members of the) Boulè, did not think it right (to shun trial), but when he brought the charge submitted myself entirely to your disposal, nor did I try to conciliate any one of my enemies who speak evil of me rather than praise themselves. No one ever attempted to do me any open injury, but set on me men of such a character as these in whom you cannot justly place any confidence. 41. I should be the most wretched of all men if I were driven unjustly into exile, childless and alone, leaving my home desolate, my mother

in need of everything, deprived of my country on the most disgraceful charges, although I have been engaged in many sea-fights and many battles, and have conducted myself in an orderly manner both under the Democracy and under the Oligarchy.

42. I do not know, (members of the) Boulè, that it is necessary for me to say anything more. I have shown you that there was not an olive on the place, and I have brought witnesses and proof. You must judge the case, bearing in mind that you should learn from this man why, when it was possible to catch me in the act, he brings the accusation after so long a time, (43) and why, although bringing no witness, he wants you to trust his mere assertions when he could have arrested me in the act, and why, although I offered him all the slaves who he says were present, he refused to take them.

ORATION IX.

POLYAENUS.

1. What purpose have the prosecutors in disregarding the main point, and trying to attack my character? Are they not aware that they should speak about the question at issue? Or do they indeed understand this, but thinking to divert your attention, present more arguments in regard to every sort of matter than about what they should (speak)? 2. I see clearly that they speak, not because they have a small opinion of me, but of their case. I should not be surprised if they supposed that you would be persuaded by their slanders and convict me. 3. I did think, gentlemen of the jury, that my trial was in regard to the accusation, not in regard to my character. But since the prosecutors attack that, I must make my defense on all sides. First then, I shall tell you about the writ.

4. Two years ago I came to the city, but lived here only two months when I was put on the list for military service. When I found out it had been done, I immediately surmised I had been chosen for no honest reason. So I went to the Strategus and showed I had served, but I met with no satisfaction. I was angered at their insults, but held my peace. 5. And not knowing what to do, and consulting a citizen about my course of action, I found out that they threatened me with imprisonment, saying that

(I), Polyænus, had lived in the city no less time than Callicrates. This conversation had been held at the bank of Philiæ. 6. So Ctesicles, the archon, and his associates imposed a fine upon me contrary to law, upon the accusation of some one that I spoke evil of them, the law really declaring "if any one speak evil of the government in council." They made the accusation, but did not attempt to enforce the penalty, but at the end of their term of office entered it on the register and gave it to the stewards (of the treasury). 7. The stewards however held a different view of the matter, and calling up those who gave them the item, demanded the reason for the charge. After they had heard what had happened, and understood the treatment I had received, at first they tried to persuade them to drop the matter, showing that it was not right for any citizen to be registered as owing a fine; but being unable to persuade them otherwise, they ran the risk (of being called to account) by you and decided to cancel the fine. 8. That I was then released by the stewards, you are well aware. But although believing that in reality I have been cleared from the charge by this showing, yet I will bring further laws and other pleas.

LAWS.

9. You have heard that the law expressly states that a fine is imposed on those who speak evil in the council; but I have brought witnesses that I did not enter the place of assembly, nor ought I to have been fined unjustly, nor could I with justice pay that amount. 10. For if it was plain I did not enter the council, and the law states that those who misbehave within it are to be fined, I am shown not to have transgressed in any way, but to have been fined un-

reasonably from motives of personal dislike without ill-doing (on my part). 11. And they were conscious that they acted wrongly; for they neither submitted an account of the matter nor came to the courts and established their proceedings as legal by a (judicial) vote. But then, even if these men fined me legally, and established their accusation before you, as the stewards remitted the fine, really I should have been acquitted of the charge. 12. For if they were competent to enforce or remit the fine, I would not with reason have to pay the money, though fined legally; and if it is possible for them to remit and they give account of their doings, if they have proceeded illegally, they will easily obtain the penalty which they deserve.

13. You know now how I was transferred and fined; but you ought to know not only the reason for the charge, but the pretext for their enmity. For I was a friend of Sostratus before incurring their hatred, knowing that he had materially benefited the state. 14. But although his friend, I never took advantage of his power to punish an enemy nor aid a friend. For during his life I remained inactive through necessity and on account of my age, and when he died neither by word and deed did I injure any of his accusers, and I can say so much, from which I should deserve much more gratitude from my opponents than ill-treatment. Their enmity they showed for the reasons which have been given, although (in reality) they had no reason for enmity. 15. So while on oath to enroll those who had not served, they violated their oaths and proposed to the assembly to deliberate about my freedom, (16) fining me on the ground that I spoke evil of the government, and utterly disregarding justice, being bound to injure me on some plea or other. What

would they have done if they were really going to injure me greatly and benefit themselves, they who care so little for their unfairness (even) when neither of these objects is accomplished? 17. For they had small opinion of your assembly and had no respect for the gods, but behaved so contemptuously and illegally as not to attempt to defend their acts, and at last, thinking they had not punished me sufficiently, finally banished me from the city. 18. While acting so illegally and violently, they did not care to conceal their unfairness, but bringing me up again on the same charges, though I have done no wrong, they accuse and revile me, bringing charges not at all corresponding to my habits, but which harmonize and accord with their own characters.

19. These men are then eager in every way for me to meet punishment; but do not, I beg you, be swayed by their slanders and condemn me, nor set aside those who came to a better and juster decision. For these have acted both in accord with custom and precedent, and evidently have done no wrong, caring most for justice. 20. So if these (*the prosecutors*) act illegally, I would be somewhat disturbed, considering it is established to treat enemies ill and friends well; but if I did not meet fair treatment at your hands, I should be much more troubled. For then I should not seem to have been ill-treated through private enmity, but through the viciousness of the state. 21. Nominally I am contending about the writ, but actually about my citizenship. For with fair treatment I would remain in the city (for I trust to your decision); but if, being brought up by these men, I should be unjustly convicted, I should have to leave the city. What hope would I have to buoy me up in living with you, or why should I intend (to do so),

knowing the desire of my accusers, and not knowing at whose hands to expect justice? Care then more for justice (than for anything else) and bear in mind that you grant pardon about charges evidently unjust, and do not allow those who have committed no wrong to meet through individual malice the most unfair treatment.

ORATION X.

THEOMNESTUS.

1. I think, gentlemen of the jury, that I shall have no lack of witnesses, for I see many of you sitting on the jury who were present when Lysithous was impeaching Theomnestus for speaking in the Assembly when it was illegal, as he had thrown away his shield. In that trial he said I had killed my father. 2. Now if he had claimed I had killed his father, I should have overlooked his words, (for I thought him of no account and insignificant), (3) but now it seems a disgrace not to punish a man who said this in relation to my father, who benefited you and the state so signally. And now I wish to know from you whether he shall pay the penalty, or whether he alone of the Athenians is allowed to act and speak illegally just as he pleases.

4. This is my thirty-third year, gentlemen of the jury, and the twentieth since the restoration (of the Democracy). So I was clearly thirteen years old when my father died at the hands of the Thirty. At that age I neither understood what an oligarchy was, nor could I have helped my father under his unjust treatment. 5. And I could not have had reason to plot against him for the sake of the money, for my elder brother Pantaleon took everything and as guardian took our patrimony, so that on many accounts, gentlemen of the jury, it was for my interest to desire my

father's life. So it is necessary to call these facts to your minds, and I shall need but few words; you know well enough that I speak the truth. And nevertheless I will furnish evidence for these facts.

EVIDENCE.

6. Now probably, gentlemen of the jury, he will make no denial of these facts, but will say before you, as he dared to affirm before the arbiter, that one does not use a forbidden word in saying some one has "killed" his father, for the law does not forbid this, but forbids the use of the word "homicide." 7. But I think that you should make your decision not about the letter of the law, but its intention. You all know that those who kill others are homicides, and those who are homicides kill others. For it would be a great task for a lawgiver to write all the words having the same signification, but in mentioning one term, his meaning covers all. 8. This is the case then, is it not, Theomnestus, — if any one called you a beater of father or mother, you would think he should be punished, but if any one said you beat your father or mother, you would then think he should go unfined as saying no forbidden word! 9. For I should like to hear from you (for in this you are skilled in practice and speech). If any one should say you "flung away" your shield, and in the law was written that a man was liable to punishment if any one declares he "threw it away," would you not have prosecuted him, and would it have been enough for you to say if some one declared you "flung it away," I do not care, for *flinging* and *throwing* are not the same thing. 10. Now could you admit the charge as one of the Eleven, if some one brought in a man on the charge of having stripped off his cloak or shirt, but you would

have discharged him because he was not called a "clothesstealer." And if any one should be caught carrying off a boy, you would not say he was a kidnapper, if you quibble with terms, and will not pay attention to the facts to express which terms are invented. 11. Consider this now, gentlemen of the jury. For this man seems never to have gone to the Areopagus through indolence and indifference. For you all know that there, whenever they are conducting a trial for murder, they do not make their depositions with this term, but with that by which I have been abused. For the prosecutor makes a deposition that "he killed," the defendant that "he did not kill." 12. Accordingly it would be absurd to acquit the one who evidently committed murder because he pleads he is a murderer, when the prosecutor charges the defendant of "killing." For what is the difference of which this man speaks? And you yourself brought suit against Theon for saying you "flung away" your shield. Nothing is said in the law about "flinging," but if any one declared he has "thrown away" his shield, it decrees a fine of 500 drachmae. 13. Would it not be terrible if whenever it were necessary for you to punish your enemies for slander, for you to interpret the laws as I do now, but whenever you speak illegally of another, to think you ought not to be punished? Are you so powerful as to be able to employ the laws as you wish, or have you such influence as to believe that those whom you wrong will not get a recompense? 14. Are you not ashamed to have the thought that you should claim advantages, not from your services to the state, but from your unpunished deeds? But read me the law.

15. I now, gentlemen of the jury, assume that you all know that I speak to the point, but he is so clumsy that he cannot understand what is said. So I wish to inform him also from other laws about these things, that even now while he is on the platform, he may be informed and may give you no further trouble. Now read me the old laws of Solon.

16. *Law. Let him be bound in the stocks by the feet, if the court decrees it in addition.*

The "stocks," Theomnestus, is the same thing which is now called the "pillory." If then a man who has been bound should on his release complain when the Eleven were undergoing their audit that he had not been bound in stocks but in the pillory, would they not think him crazy? Read another law.

17. *Law. Let him give security, having sworn by Apollo, fearing to escape on account of the penalty.*

The (old-fashioned) "swearing falsely" now means "swearing by," and "running off" is our "escape."

And whoever shuts a door with a thief inside.

The "close" is our "shut" and means the same.

18. *Money may be at interest at whatever rate the lender wishes.*

The "interest," my good friend, is not "weighed," but draws whatever percent is wished. Read now the last law.

19. *As many as go about in plain view, and*

He shall be responsible for injury to a domestic or female slave.

Now attend. The "in plain view" is "openly," the "go about" is "walk the streets," the "domestic" is "servant." And there are many other such cases, gentlemen of the jury. 20. And unless this man is stupid, I think he understands that these matters are the same now as in antiquity, but that we now employ

different terms for them. And he will show (his consciousness), for he will withdraw from the platform in silence. 21. And if he does not, I beg you, gentlemen of the jury, to vote what is just, bearing in mind that it is a much greater evil to hear that one has killed his father than to hear that he has thrown away his shield. I at least would rather have thrown away all my shields, rather than to have such a report (circulated) in relation to my father. 22. So this man, being liable to that charge, for which the penalty would have been less (than mine for this), not only was acquitted by you, but brought disfranchisement upon a witness. And I have seen him doing that which you know of, and I myself rescued his shield and yet am charged with a deed so lawless and terrible. Now as I shall have the worst fate if he escapes, and his penalty if convicted of slander will not be what he deserves, shall I not obtain satisfaction from him? What charge have you against me? 23. That there was justice in his accusation? But you yourselves would not say so. That the defendant is a nobler man and from nobler family than I? Not even he would claim that. That, having thrown away my shield, I am accused of libel by the one who rescued it? Such is not the story about town. 24. But remember that you rendered him that great favor. In this matter who would not pity Dionysius that he met with such misfortune, a noble man who fell into danger, coming from the dicastery, saying (25) that we had made a most unfortunate expedition, where many lost their lives and others who saved their shields were convicted of perjury by those who threw theirs away? Were it not better for him to have died there rather than to come home to such a fate? 26. So do not pity Theomnestus that he is ill-spoken of as he

deserves, and do not give judgment in his favor while he insults (me) and speaks illegally. For what greater sorrow could befall me than this, to hear such base charges in relation to such a father?

27. He often served as Strategus, and ran many other risks for you. And he was never made prisoner by the enemy, nor lost a suit to the state through his audit, and at sixty years of age he was put to death under the oligarchy through his devotion to the people.

28. Am I not justified in my anger against the slanderer, and in coming to my father's rescue as if he were slandered by this charge? For what could be more distressing to him than this, to die at the hands of enemies and to have the reproach of having been put to death by his own children. His trophies of valor, gentlemen of the jury, even now hang on your shrines, but the trophies of the cowardice of this man (*Theon*) and his father are in an enemy's temple, so inborn is their baseness. 29. And so, gentlemen of the jury, the more these are brave to all appearances, the more they deserve our anger, for they are evidently strong in body, but weak in spirit.

30. I hear, gentlemen of the jury, that he will resort to the argument that he spoke in anger as I offered the same testimony as Dionysius. Bear in mind, gentlemen of the jury, that the law gives no pardon to anger, but fines one who cannot prove the truth of his words. And I twice gave evidence, not realizing that you punish witnesses and pardon those who throw away their shields. 31. So about these things I do not know what more I ought to say. But I beg you to condemn Theon, bearing in mind that no trial could be more important to me. For I prosecute him for slander and by the same vote I am acquitted of the murder of my father, I, who by myself,

as soon as I came of age, indicted the Thirty in the Areopagus. Recalling this, aid me and my father, and (stand by) the laws and the oaths which you have taken.

ORATION XII.

ERATOSTHENES.

1. It does not seem to me difficult to begin the accusation, jurors, but to cease speaking; things so important, and so many in number, have been done by them, that neither by lying could I make the accusation worse than it really is, nor, if I were willing, should I be able to tell the whole truth; but it is necessary either for the accuser to grow weary, or for time to fail. 2. But I think my experience will be just the opposite of what (it has been) formerly. For formerly it was necessary for the accusers to show the enmity which they had toward the accused; but now it is necessary to ask from the accused what enmity they had toward the state, on account of which they venture to do such wrongs to it. But I do not use these words as if not having private enmities and misfortunes, but as if there were plenty of reason for all to be angry, on account of their private and public affairs. 3. In my own case, jurors, having never pleaded either my own cause or that of others, I now have been compelled by what has taken place, to accuse this man, so that I often have felt the greatest despondency, lest, on account of my inexperience, I should make the accusation, for my brother and myself, unworthily and unskillfully; still, I will endeavor to run over the facts as briefly as I can.

4. My father, Cephalus, was persuaded by Pericles to come to this land, and lived there thirty years; and neither we nor he ever brought an accusation against anybody, or were accused ourselves; but we lived in such a manner under the Democracy, that we neither wronged others nor were wronged by others. 5. But when the Thirty, being villains and sycophants, were established in power, affirming that it was necessary to rid the city of those doing wrong, and turn the remaining citizens to virtue and justice, — though making such professions, they did not venture to do such things, as I, speaking first in my own behalf, and in behalf of you, shall try to remind you. 6. For Theognis and Piso said, among the Thirty, in regard to the metics, that there were some dissatisfied with the form of government; therefore there was a very good pretext to seem to punish them, but in reality to get their money, for the city was poor in every respect, and the government needed money. 7. And they had no difficulty in persuading their hearers, for they thought it of no account to kill men, but to take their money they considered of the utmost importance. Therefore they decided to arrest ten, and, of these, two poor men, in order that they might have a defense, in respect to the others, that these things were not done for the sake of money, but in the interest of the state, as if doing something reasonably. 8. Accordingly they distributed the houses and went to them. They found me entertaining guests, whom they drove out, and then gave me up to Piso, and others, going to the workshop, took an inventory of the slaves. And I asked Piso if he was willing to save me, taking a bribe; and he said he would, if there was much of it. 9. Therefore I said that I was ready to give him a talent of

deserves, and do not give judgment in his favor while he insults (me) and speaks illegally. For what greater sorrow could befall me than this, to hear such base charges in relation to such a father?

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ERATOSTHENES.

1. It does not seem to me difficult to begin the accusation, jurors, but to cease speaking; things so important, and so many in number, have been done by them, that neither by lying could I make the accusation worse than it really is, nor, if I were willing, should I be able to tell the whole truth; but it is necessary either for the accuser to grow weary, or for time to fail. 2. But I think my experience will be just the opposite of what (it has been) formerly. For formerly it was necessary for the accusers to show the enmity which they had toward the accused; but now it is necessary to ask from the accused what enmity they had toward the state, on account of which they venture to do such wrongs to it. But I do not use these words as if not having private enmities and misfortunes, but as if there were plenty of reason for all to be angry, on account of their private and public affairs. 3. In my own case, jurors, having never pleaded either my own cause or that of others, I now have been compelled by what has taken place, to accuse this man, so that I often have felt the greatest despondency, lest, on account of my inexperience, I should make the accusation, for my brother and myself, unworthily and unskillfully; still, I will endeavor to run over the facts as briefly as I can.

4. My father, Cephalus, was persuaded by Pericles to come to this land, and lived there thirty years; and neither we nor he ever brought an accusation against anybody, or were accused ourselves; but we lived in such a manner under the Democracy, that we neither wronged others nor were wronged by others. 5. But when the Thirty, being villains and sycophants, were established in power, affirming that it was necessary to rid the city of those doing wrong, and turn the remaining citizens to virtue and justice, — though making such professions, they did not venture to do such things, as I, speaking first in my own behalf, and in behalf of you, shall try to remind you. 6. For Theognis and Piso said, among the Thirty, in regard to the metics, that there were some dissatisfied with the form of government; therefore there was a very good pretext to seem to punish them, but in reality to get their money, for the city was poor in every respect, and the government needed money. 7. And they had no difficulty in persuading their hearers, for they thought it of no account to kill men, but to take their money they considered of the utmost importance. Therefore they decided to arrest ten, and, of these, two poor men, in order that they might have a defense, in respect to the others, that these things were not done for the sake of money, but in the interest of the state, as if doing something reasonably. 8. Accordingly they distributed the houses and went to them. They found me entertaining guests, whom they drove out, and then gave me up to Piso, and others, going to the workshop, took an inventory of the slaves. And I asked Piso if he was willing to save me, taking a bribe; and he said he would, if there was much of it. 9. Therefore I said that I was ready to give him a talent of

silver, and he agreed to do it. I knew that he regarded neither gods nor men; still, in view of the existing state of affairs, it seemed to me to be absolutely necessary to take a pledge from him. 10. And when he swore, imprecating destruction upon himself and children, that he would save me, on condition of receiving a talent, I went to my chamber and opened the chest. Piso seeing this came in, and, seeing what was therein, called two of his servants, and commanded them to take what was in the chest. 11. But as he did not confine himself to the sum agreed upon with the jurors, but took three talents of silver, four hundred *cyziceni*, a hundred *darics*, and four bowls of silver, I besought him to give me my traveling expenses, whereupon he told me to rejoice if I saved my life. 12. Melobius and Mnesitheides, returning from the workshop, met Piso and myself, coming out (of the house). They overtook us at the very doors, and asked us where we were going; he said to my brother's (house), to see what was in that house; then they told him to go on, but bade me accompany them to *Damnippus*. 13. And Piso, approaching me, told me to keep silence, and be of good cheer, as he would come there; and we found *Theognis* there, guarding the others; having given me up to him, they went back; and, under such circumstances, it seemed best to me to run any risk whatever, as if death were already at hand. 14. So, having called *Damnippus*, I spoke to him as follows: "You happen to be a friend of mine, and I have come to your house; I have done no wrong, but I am about to be put to death on account of my property; do you, therefore, in consideration of my wretched plight, kindly use your influence in my behalf to secure my safety." And he promised to do it. But it seemed better to him to

mention it to Theognis, for he thought that he would do anything, if one should give him money. 15. And, while he was conversing with Theognis (as I happened to be acquainted with the house, and knew that there were two doors), it seemed best to me to try to save myself, thinking that, if I should escape detection, I should be safe, but, if I should be taken, I thought that, if Theognis should be persuaded by Damnippus to receive a bribe, I should get off nevertheless, but otherwise I should die all the same. 16. Having thought of these things, I fled while they were stationing a guard at the hall-door, and of the three doors through which I must pass, all happened to be open; then, coming to the (house) of Archeneus, the shipmaster, I sent him to the town to learn about my brother; and he came, and said that Eratosthenes had seized him in the road and led him off to prison, (17) and I, having learned these things, on the following night sailed to Megara. And the Thirty gave the command to Polemarchus, made customary by them, to drink hemlock, before telling the accusation, on account of which he was about to die, so far he failed of trial, and making his defense. 18. And when he was carried out the prison-house dead, although we had three houses, they permitted him to be carried out from neither of them; but, having hired a bier, they laid him out. And, although there was much clothing, they gave none to us, when we asked it for his burial, but of his friends, one gave a garment, another a pillow, and what each one happened to have, he gave for his burial. 19. And although we had seven hundred shields belonging to us, together with gold, silver, brass, ornaments, furniture and women's clothing to an amount far beyond their expectations, besides a hundred and twenty slaves, of

whom they took the best, and threw the rest into prison, they reached such a pitch of insatiable desire and avarice, that they showed their character; for from the ears of the wife of Polemarchus, Melobius took the golden earrings which she happened to be wearing, as soon as he came into the house. 20. And not in the least part of our property did we receive compassion from them; but they so wronged us, on account of our property, as others would in anger for great wrongs, though we did not deserve these things from the city, but we had paid the expenses of all the choruses, and many taxes, and showed ourselves orderly, and did everything ordered, and had no private enemy, but freed many of the Athenians from their enemies. Such things they thought we deserved, although as metics we had conducted ourselves better than those who are citizens. 21. For they drove out many of the citizens to their enemies, and, killing many unjustly, left them unburied; and many who enjoyed the full rights of citizenship in this city, they deprived of them; and they prevented the daughters of many from being married. 22. And now they have become so audacious, that they come here to defend themselves, declaring that they have done nothing wrong or disgraceful; and I wish that they spoke the truth, for not the least share in this good would come to me. 23. But now they have no such pleas either before the city or me, for, as I said before, Eratosthenes killed my brother, not having been wronged by him privately, or seeing him injuring the city, but zealously assisting his own transgression of the law.

24. And having come up here, I wish to question him, jurors, for this is my opinion; with a view to this man's advantage, I think it impious to conve

even with another about him; but to his injury I consider it to be holy and honorable to speak even to himself; therefore rise up, and answer me what I ask you. 25. Did you lead away Polemarchus, or not? "Through fear I did what was commanded by the Thirty." Were you in the council chamber when speeches were made about us? "I was." Did you agree with those advising to kill, or did you oppose? "I opposed." That we might not be killed? "That you might not be killed." Thinking that we would suffer unjustly or justly? "Unjustly." 26. Then, O basest of all men! did you oppose, in order to save us, but arrest us, in order to kill us? And, when the majority of you had our safety in your hands, do you say you opposed those wishing to destroy us, but, when it was in your power alone both to save Polemarchus and not, did you lead him away to prison? Then because, as you say, by opposing you did no good, do you claim to be considered an honest man? But, because you arrested and tried to kill us, do you not think that you should suffer punishment for this?

27. And, moreover, it is not reasonable to believe him in this (if he speaks the truth in saying that he opposed), that it was commanded him. For surely, in the case of the metics, they did not take a pledge from him. To whom then was it less likely to be commanded than (to one) who happened to oppose them, and declared his opinion? / For who was less likely to be a servant in these things than the man who opposed what they wished to be done? 28. And still it seems to me that there is a sufficient excuse for the other Athenians, to lay the blame of what has happened upon the Thirty. But how is it reasonable for you to accept the statements of the Thirty them-

selves, if they throw the blame on each other? 29. For, if there had been in the city any greater power than that by which he was ordered to kill men unjustly, you might justly pardon him; but now from whom will you ever exact punishment if it shall be possible for the Thirty to say that they did what was commanded by the Thirty? 30. And while it was possible to save him and abide by the commands of the Thirty, he arrested him, not in his house, but in the street, and led him off. And you are all angry with as many as came into your houses making a search for you or for anything of yours. 31. But, if it was necessary to pardon those who have killed others for their own safety, you would more justly pardon these, for it was dangerous for those who were sent not to go, and if caught to deny it. But it was possible for Eratosthenes to say, first, that he did not meet him; secondly, that he did not see him; for these things had neither proof nor trial, so that they could not have been investigated, even by those wishing to be enemies. 32. But you ought, Eratosthenes, if you had been an honest man, far rather to have informed those about to be put to death unjustly, than to arrest those about to perish unjustly; but now your acts have been evident as those not of one troubled, but of one pleased with what has taken place. 33. So that it is necessary for the jury to give their decision from facts rather than from words, taking as proofs of the things then said, what they know to have happened, since it is not possible to furnish witnesses about these things; for it was not only impossible for us to be present, but in our homes, so that it is in the power of those who have done it for their own safety! 34. I do not, however, shrink from the issue, but

rather confess to you that I am utterly opposed (to their statements). Indeed, I wonder what in Heaven's name you would have done if in harmony with the Thirty, since when opposing them you killed Polemarchus. Come now, what would you do if you happened to be brother or son of his? Would you acquit him? For Eratosthenes, jurors, must show one of two things, either that he did not lead him away, or that he did this justly; but he has confessed that he arrested him unjustly, so that he has made your decision about him easy.

35. And now many, both of the citizens and of the strangers, have come to learn your opinion about these things, some of whom, being your own citizens, will go away having learned either that they will suffer punishment for the crimes they shall commit, or, having done what they desire, will become tyrants of the city, but, failing, will be on equal terms with you; but the foreigners in the city will know whether they banished the Thirty from their city justly or unjustly, for, if the very men who have suffered ill, shall acquit those whom they arrested, truly they will think that they themselves have been over-zealous in taking vengeance in your behalf.

36. Is it not then a hard thing if you punished by death the generals who conquered in the naval battle because they said they were not able to rescue their companions from the sea on account of the storm, thinking it was necessary to exact punishment from them on account of the valor of the dead, but these, who, as private citizens, did all in their power to be defeated in the naval battle, and, when they were established in power, confessed that they willingly put to death many of the citizens without a trial, — is it not necessary that both they themselves and

their children should be punished by you with the most extreme punishments?

37. I then, jurors, think that sufficient accusation has been made, for I think it is necessary to carry the accusation up to this point until the accused shall appear to have done things worthy of death; for this is the most extreme punishment we can inflict upon them, so that I do not know what need there is to make many accusations against men who would not be able to give satisfaction for each of their offenses even by dying twice. 38. For it is not fitting for him to do that which is customary in this city, to make no defense against the accusations but, speaking much of themselves, they sometimes deceive, showing to you how good soldiers they are, or how many ships of the enemy they took when in command of triremes, or how many cities which were hostile they made friendly. 39. For command him to show where he killed as many of the enemy as of the citizens, or where he took as many ships as they themselves betrayed, or what city they acquired so great as this one of ours which they enslaved. 40. For did they take as many arms from the enemy as they have taken from you? Did they take such walls as those of their own country which they dismantled? Who took away the garrisons about Attica, and made it plain to you that they did not dismantle the Piraeus because the Lacedaemonians commanded it, but because they thought that thus their own power would be firmer?

41. Therefore I often wondered at the audacity of those speaking in their behalf, except when I consider that it is in their power both to do all evils and to praise those like them. 42. For this is not the first time he has acted contrary to your majority; but

in the time of the Four Hundred, having set up an oligarchy in the camp, he fled from the Hellespont, deserting his ship, although the commander of it, with Iatrocles and others whose names I do not need to mention; and, having come here, he opposed those who favored a democracy. And of these things I will bring you witnesses.

WITNESSES.

43. I will pass over then his intervening life; but after the sea-fight and the disaster to the city took place, there being still a democracy, five men were made Ephors by the so-called secret societies (whence they began a sedition), to assemble the citizens, lead the conspirators, and oppose your democracy. Among them were Eratosthenes and Critias. 44. And they appointed commanders over the guards, and they directed what ought to be voted and who ought to rule, and, if they wished to do anything else, they were masters; so not only enemies, but also those who were citizens plotted against you, in order that you might vote nothing good, and might be in want of many things. 45. For this they knew, that they could not get the upper hand in any other way, but success for them depended on your misfortune; and they thought that you, wishing to be freed from your present evils, would not consider about future ones. 46. That it was in the power of the Ephors at that time, I will bring witnesses to you, not those then co-operating with him (for I should not be able), but those who heard Eratosthenes himself. 47. But, if they had been prudent, they would have borne witness against them, and would have severely punished the teachers of their crimes, and, if

they had been wise, would not have considered their oaths binding to the extent of wronging the citizens, but for the good of the state they would have easily transgressed them; therefore I say such things to them. Call witnesses for me, and come forward.

WITNESSES.

48. You have heard the witnesses. At last, being established in power, he took part in no good deed, but in many of an opposite character. If, however, he were an honest man, he ought, in the first place, not to rule contrary to law; secondly, to inform the council concerning all the reports, that they were false, and that Batrachus and Aeschylides did not announce the truth, but told things invented by the Thirty, as agreed upon for the injury of the citizens. 49. And indeed, jurors, all who were ill disposed toward you, remained quiet just the same; for there were others saying and doing things which were greater evils than what could (otherwise) come to the city. But for those who said they were well disposed, why did they not show it there, both by speaking what was best themselves, and preventing men from doing wrong?

50. But perhaps he might be able to say he was afraid, and this will be a sufficient excuse to some of you. (Observe) then, if he shall appear to be opposing the Thirty in speech; otherwise it will be evident that these things pleased him, and he had so much power that, although he opposed, he suffered no evil from them. And he ought to have this zeal for your safety, but not for Theramenes, who has wronged you in many respects. 51. But that he considered the city hostile and your enemies his friends, I shall establish by many proofs; likewise that the quarrels with each other arose not on your behalf, but on

theirs, to determine who shall do these things and govern the state. 52. For, if they made the revolt in behalf of those who had been wronged, when would there have been a better opportunity for a ruler to show his friendship than when Thrasybulus had taken possession of Phylè? But he, instead of announcing or doing anything good toward those at Phylè, came with his fellow-rulers to Salamis and Eleusis, and led away three hundred of the citizens to prison, and by one vote condemned them all to death. 53. But when we came to the Piræus, and disputes arose, and speeches were made about a reconciliation, we each had many hopes of behaving towards each other, as both parties gave indications; for the Piræus party, being superior, permitted them to depart, (54) and they, having come to the city, drove out the Thirty, except Pheido and Eratosthenes, and chose as leaders those most opposed to them, thinking justly that by the same persons both the Thirty would be hated, and the Piræus party loved. 55. Of these, then, Pheido, who had been one of the Thirty, and Hippocles, and Epichares of Lamptrae, and others seeming to be the most opposed to Charicles and Critias and their club, when they were established in power, created much greater party-feeling against the Piræus party for the city party. 56. And they openly showed that they were making the disturbance, not on behalf of the Piræus party, nor on behalf of those perishing unjustly, neither did they trouble themselves about the dead, nor those who were going to be put to death, but those who had more power and were getting rich faster. 57. For, having seized the offices and the city, they made war upon both parties, both the Thirty who had done all evils, and you who had suffered all evils; and this

was evident to all, that, if the former were accused unjustly, you (were accused) justly, but if you unjustly, the Thirty justly, for they were banished from the city, not having been guilty of other things, but of these things. 58. So that it is necessary to be exceedingly indignant that Pheido, having been chosen to conciliate you and restore you, did the same things as Eratosthenes, and with the same mind was ready to injure those who were in the majority in their own party by means of you; and he was not willing to restore the city to you in unjust exile, but, having come to Sparta, he tried to persuade them to begin hostilities, falsely saying that the city would fall into the power of the Boeotians, and other things besides by which he hoped to persuade them. 59. But not being able to obtain this, either because the sacred rites were in the way, or because they themselves did not wish it, he borrowed a hundred talents in order that he might be able to hire mercenaries; and they chose Lysander as leader, who was very friendly to the oligarchy, and most hostile to the state, especially the Piraeus party. 60. Then having hired all men for the destruction of the city, and inciting cities, and finally the Lacedaemonians, and such of their allies as they could persuade, they made preparations not to restore but to destroy the city (and would have succeeded), had it not been for certain brave men, to whom I charge you to show your gratitude by punishing these wretches. 61. You know these things yourselves, and I know it is not necessary to provide witnesses, nevertheless (I will), for I need to stop speaking, and it is more pleasant for you to hear the same words from as many as possible.

WITNESSES.

62. Come now, I will show you about Theramenes as briefly as I can, and I request you to hear me, both on behalf of myself and the city. And let no one think that I am accusing Theramenes while Eratosthenes is on trial. For I learn that he will make this defense, that he was a friend of his, and took part in the same acts. 63. But I suppose that he, as a citizen, would pretend that he was acting with Themistocles, in order that the walls might be built, since (he says he is acting) with Theramenes, in order that they may be destroyed; for they do not seem to me to be worthy of a comparison, for he built them up against the will of the Spartans, but this man has torn them down, after deceiving the citizens. 64. For the opposite has happened to the city from what was natural. For it was right that the friends of Theramenes should be ruined with him, except if one happened to be acting in opposition to him; but now I see that the defense is thrown upon him, but that his companions are trying to get honor, as if he had been the cause of many blessings, and not of great evils. 65. In the first place, he was the chief cause of the former oligarchy, having persuaded you to choose the constitution, in the time of the Four Hundred. His father, being one of the commissioners, did these things, and he himself seeming to be in full sympathy with the affair, was chosen general by them. 66. And while he was in office, he showed himself faithful (to the city); but, when he saw that Pisander and Callaeschrus and others were superior to him, and that you no longer wished to hear them, then, on account of his enmity towards them, and his fear of you, he took part with Aristocrates. 67. And, wishing to seem to be faithful to you, he accused and put to death, Antiphon and Archeptolemus, who

were great friends of his, and reached such a pitch of wickedness, that at the same time, on account of his faith to them, he enslaved you, and on account of his (faith) to you he destroyed his friends. 68. Then being honored, and thought worthy of the greatest things, he himself, having announced that he would save the city, destroyed it, saying he had done a great and valuable thing. And he promised to make peace, without giving hostages, without dismantling the walls, and without giving up the ships, and wishing to say these things to no one, he commanded you to trust him. 69. But you, Athenians, while the council of the Areopagus was acting for safety, and many were opposing Theramenes, though you knew that other men keep secrets on account of the enemy, while he, even among his own citizens, was unwilling to state those things which he was going to state to the enemy, nevertheless intrusted to him your country, children, wives and yourselves. 70. But he did nothing which he promised; on the contrary, he reflected that the city ought to be small and weak, so that he endeavored to persuade you to do those things which no one of the enemy ever mentioned, or of the citizens ever expected; not being compelled by the Lacedaemonians, but himself giving orders to them, both to destroy the walls of the Piraeus and to break up the existing state of government, well knowing that, if you were not in despair, you would inflict speedy punishment upon him. 71. And finally, jurors, he did not permit the assembly to be held until the opportunity mentioned by him (*Lysander*) was carefully watched by him, and he had summoned the ships from Samos with *Lysander*, and the camp of the enemy was in the city. 72. Then, this being the state of affairs, and *Lysander* and *Philochares*

and Miltiades being present, they made an assembly concerning the constitution, in order that no orator might oppose or threaten them, and that you might not choose what was advantageous, but might vote what seemed best to them. 73. And Theramenes stood up, and advised you to commit the city to thirty men, and abide by the constitution which Dracontides proposed, but you, nevertheless, being so disposed, made a tumult as if you would not do these things, for you knew that you were deliberating that day concerning slavery and liberty. 74. But Theramenes, jurors, (and of these things I will bring you yourselves as witnesses,) said he cared nothing for your tumult, since he knew that many of the Athenians were doing things like himself, and he said things which seemed good to Lysander and the Lacedaemonians; and after him Lysander rose and said a great deal, but particularly that he considered you faithless, and that the question would be to you, not about a constitution, but about safety, unless you did what Theramenes commands. 75. And of those in the assembly, the better portion were aware of the preparation and the crisis, and some remained and kept quiet; but others went off, knowing this, at least, that they had voted nothing wrong to the city; while a few base and evil schemers voted what was commanded. 76. For they were commanded to elect ten whom Theramenes proposed, and ten whom those elected Ephors advised, and ten from those present; for they saw your weakness, and they knew their own power, so that they knew beforehand what was going to take place in the assembly. 77. And in these things it is not necessary to believe me, but him, for all those things said by me he said, in his defense in the council, reproaching

the exiles, because they came back through his means, — the Lacedaemonians not caring about it, — and reviling those taking part in the government, because he himself met with such treatment, after having been the cause of all the things done in the ways mentioned by me, having himself given many pledges, and received many from them. 78. And though he has been the cause of so many other evils and disgraces, both long ago and recently, both small and great, they will venture to declare that they are friends of his, when Theramenes died not on your behalf, but on account of his own wickedness, and was justly punished in an oligarchy (for he destroyed it); as he would have been justly in a democracy; for he twice enslaved you, despising what was present, and desiring what was absent, setting himself up as a teacher of most horrible things, while using a most honorable name.

79. Concerning Theramenes then, the accusations seem to me to be sufficient; and the time has come when it is necessary not to have pardon and pity in your decision, but to punish Eratosthenes and his fellow-rulers, and not by fighting to be superior to our (public) enemies, and by voting to be weaker than our private enemies. 80. Accordingly do not favor them more for what they say they are going to do, than be angry for what they have done; neither plot against the Thirty when absent, and acquit them when present; neither aid yourselves in a manner worse than fortune has, which has given them to the city. 81. Act against Eratosthenes and his friends, upon whom he will lay the defense, and with whom these things were done by him; but the contest between the city and Eratosthenes is not equal, for he was at once the accuser and judge of what was taking place;

but we are brought now to an accusation and defense. 82. They put to death without a trial those doing no wrong; but you think it right to try according to law those who have destroyed the city; from whom even if you wished to exact punishment, contrary to law, you could not exact one worthy of the crimes which they have done to the city; for by what suffering could they suffer a punishment proportionate to their deeds? 83. If you should kill these, and their children, should we exact an adequate punishment for the murder of those whose fathers and sons and brothers they put to death without a trial? Or if you should confiscate their real estate, would it be well either for the state from which they have taken much, or for the citizens whose houses they have plundered? 84. Since, then, by most stringent measures you could not exact a sufficient punishment from them, is it not a shame for you to neglect any (penalty) whatsoever which one might wish to exact from them? It seems to me, that he must be an audacious wretch who when no others are the jurors except those very ones who have suffered ill, has come to make his defense, before the very witnesses of his villainy; so much has he either despised you or trusted others. 85. Both of these things it is worth while to consider, reflecting that they would not be able to do these things without the co-operation of others, neither would they have attempted to come now, unless they thought they would be saved by those same persons who have come here, not to rescue them, but in the belief that there would be great security to them for what they have done, and in future the power to do whatever they wish, if, having made the arrest, you

shall acquit those who are guilty of the greatest crimes.

86. But it is worth while to wonder about those who take their part, whether they make their accusations as good and honorable men, showing their own virtue worth more than the baseness of these. I wish that they were as zealous to save the city as these to destroy it — or whether they will defend them as skillful in speech, and will show their deeds to be worthy. But no one of them ever endeavored to speak justly in your behalf. 87. Again it is worth while to see the witnesses who, testifying to these things, accuse themselves, thinking that you are very forgetful and simple-minded, if they think without fear to save the Thirty through you; but thanks to Eratosthenes and his fellow-rulers, it became a fearful thing to go even to the carrying out of the dead. 88. But these men, if saved, would again be able to destroy the state, but those whom they destroyed, having died, gave their life beyond the vengeance of their enemies. Is it not a hard thing if their friends were likely to perish with those who died unjustly, while many will undertake the funeral of those who destroyed the state, seeing that so many are prepared to go to the rescue? 89. And I think it far easier to resist your wrongs than to defend the conduct of these men. But they say that Eratosthenes did the fewest evils of the Thirty, and, on this account, they demand that he shall be saved; but because, of (all) other Greeks, he has done you the most wrongs, they do not think he ought to perish. 90. Now therefore you will show what opinion you hold in regard to these matters; if you convict him, it will be evident that you are indignant at what has taken place; but, if

you acquit him, you will seem to desire the same things as they, and yet you will not be able to say that you did what was commanded by the Thirty. 91. For in the present case, no one compels you to acquit contrary to your opinion. So I advise you not to convict yourselves by acquitting these, nor think that your vote is secret, for you will make your decision known to the city.

92. I desire to conclude, after reminding both parties of a few things, the city party and the Piraeus party, in order that, having as proofs the disasters which have occurred through their means, you may vote.

In the first place, you of the city party should reflect that you were so severely governed by them, that you were compelled to wage such a war upon your brothers, and sons, and citizens, that, if defeated in it, you would be on an equality with those who conquered, but conquering, would be slaves to them.

93. These villains, on the one hand, as a result of the strife, would have enriched their private resources, but you would be poorer on account of your war with each other, for they demanded that you should not share their advantages, while they compelled you to share their dishonor, having reached such a pitch of arrogance, that, without sharing the offices with you, they kept your faith, but in sharing their reproaches, they thought you would be friendly. 94. Wherefore do you, being confident, as far as you are able, both exact punishment in your own behalf and in behalf of the Piraeus party, reflecting that you were governed by those who were most vicious, that you are living now with the best of men, making war upon enemies, and deliberating for (the interests) of the city, and remembering the mercenaries whom these men made the

guards of their power and your servitude in the Acropolis. 95. This much I say to you, though there are many things besides.

And you of the Piraeus party, in the first place, should remember your warlike deeds, that, having fought many battles in a foreign country, you were deprived of your arms, not by enemies, but by these men in a time of peace; secondly, that you were proclaimed exiles from the city, which our fathers gave to you, and that they demanded you, who fled, back from the cities (to which you fled). 96. Therefore be angry as when you went into exile, and remember the other misfortunes which you suffered from them, who seized some from the market-place, and others from the temple, and put them to death, and, dragging others away from their children, parents, and wives, compelled them to be murderers of their own kindred, and did not permit them to receive the customary burial; thinking their own government would be more secure from the vengeance of the gods. 97. And those who escaped death, after having often been in danger, wandering to other cities, and being outlawed from every place, in want of the necessities of life, some leaving their children in their country now become foreign, and others in a strange land, with much opposition, have come to the Piraeus. And though there were many great dangers, being honorable men, you freed some, and others you restored to their country. 98. But if you have been unsuccessful, and had failed in these things, you would yourselves have fled, fearing lest you should suffer just such wrongs as before, and neither temples nor altars, things which are a source of safety even to those doing wrong, would have helped you, injured through the characters of these men; and your children, as many

as were here, would be ill-treated by them; and those in a foreign land would be slaves, on account of small debts, from the lack of those to assist them.

99. However I am not willing to say what the future will be, not being able to say what has been done by them; for it is not the work for one accuser, nor for two, but for many; still (*nothing of my zeal has been left out*), I have employed all my zeal in behalf of the temples, which they in part have sold, and in part desecrated by entering; in behalf of the city, which they rendered weak; in behalf of the dockyard, which they dismantled; and in behalf of the dead, whom, now that they are dead, you should aid, since you were not able to defend them when alive. 100. But I think they hear you, and will know that you are voting, feeling that those who acquit these have condemned them to death; but as many as punish these have avenged them. I shall cease my accusation. You have heard, seen, suffered, and hold the evidence. Now pass your judgment.

ORATION XIII.

AGORATUS.

1. It is fitting, gentlemen of the jury, for all of you to avenge the men who died well disposed to the state, and for me not the least. For Dionysodorus was my brother-in-law and nephew. So I have the same hostility to this Agoratus as your party. For he did things on account of which he is justly hated by you and me, and, if God wills, he shall be justly punished. 2. For my brother-in-law, Dionysodorus, and many others whose names you shall hear, being men well disposed to the people, he put to death in the time of the Thirty, informing against them. Doing these things he injured me not a little and all who have come here, and greatly injured the whole state in common, as I think, by depriving it of such men. 3. Therefore, gentlemen of the jury, I think it right by divine and human law for each one to take as much revenge as he can. And I think if you should do this, we should fare better at the hands of gods and men. But, Athenians, you must hear about his deeds from the very beginning, (4) that you may first learn in what manner your democracy was destroyed, then how these men were put to death by Agoratus and what those about to die charged us with. On learning all this accurately you will more willingly and justly condemn this Agoratus. Therefore, where

we can most easily teach and you learn, there I will begin the story.

5. When your ships were destroyed and the resources of the state were in a bad way, not long afterwards the ships of the Lacedaemonians arrived at the Piraeus, and at the same time conferences about peace took place with the Lacedaemonians. 6. During that period those who wished a revolution in the city laid their plans, thinking they had hit upon the right moment and would establish things just at that time as they themselves wished. 7. They thought nothing was in their way except the leaders of the people, the Strategi, and the Taxiarchs. Accordingly they wanted to remove these in some way or other, that they might more easily arrange matters as they wished. First then, they assailed Cleophon with this idea. 8. For when the first meeting about peace was in session, and those who had come from the Lacedaemonians said on what terms the Lacedaemonians were willing to make peace — if the long walls should be destroyed for ten stadia on both sides — then you, Athenians, could not bear to hear about the destruction of the walls, and Cleophon rose in your behalf and said that it was not at all possible to do this. 9. Then Theramenes, plotting against the people, rose and said if you would appoint him ambassador with full powers he would bring it about that the walls should not be destroyed, nor any other evil injure the state. He thought in some other way to benefit the city at the hands of the Lacedaemonians. 10. And you, persuaded, chose him as plenipotentiary, although the year before you rejected him after he was chosen Strategus, not thinking him well disposed to the people. 11. He, therefore, going to Sparta remained there a long time leaving you in a state of

siege, though he knew that on account of the war and misfortunes the people were in need of the very necessities of life, thinking if he brought you to a very low state, as he did, that you would gladly make any sort of peace that he desired. 12. Those who remained here and planned to overthrow the government, brought Cleophon to trial on the plea that he did not come to the camp to sleep, but really because he spoke against tearing down the walls. When they had packed the jury, and those who desired to establish an oligarchy had come in, they killed him on this charge. 13. Theramenes afterwards came from Sparta. Some of the Strategi and Taxiarchs, among them Strombichides and Dionysodorus, and other citizens who were well disposed to you, as they afterwards showed, having gone to meet him, became exceedingly angry. For he came bringing a peace the nature of which we afterwards learned by actual experience. For we lost many good citizens and we ourselves were driven out by the Thirty. 14. For instead of destroying ten stadia of the long walls (the terms of peace) were to destroy all the wall, and instead of finding some other good for the city, to hand over the ships to the Lacedaemonians and to destroy the walls about the Piraeus. 15. These men, perceiving it was a peace in name, but in fact the destruction of the democracy, refused to allow this to take place, not because they were sorry, Athenians, that the walls were to fall, nor that they minded giving over the ships to the Lacedaemonians (for this was no more their concern than yours), (16) but learning that thus the people was to be destroyed; not (as some say) because they did not wish there to be peace, but because they wished to make a better peace than this for the people of Athens. They thought

they would be able and would have done this if they had not been killed by this Agoratus.

17. Theramenes and others who were plotting against you, knowing that there were some who were opposed to the destruction of the democracy and would take an opposite stand for freedom, chose to bring against these men false accusations and to place them in danger before the assembly on peace was held, that no one there might raise objections in your cause. 18. Therefore they adopt the following plan. They persuade this Agoratus to become an informer against the Strategi and Taxiarchs; not that he was in their secrets, Athenians, no indeed, (for they were not so foolish and friendless, that, when they were engaged in an affair of this size, they would call in Agoratus, a slave and a son of slaves, as being trustworthy and well disposed,) but because it seemed to them that he was a necessary informer. 19. Therefore they wished him to seem to give testimony unwillingly and with reluctance, that he might seem to you somewhat more trustworthy.

But that he testified willingly I think you know from the case. For they sent Theocritus, known as the son of Elaphostictus, to the Boulè, which was in session before the Thirty. And this Theocritus was a friend and relative of Agoratus. 20. But the Boulè in the time of the Thirty was tampered with, and as you know, greatly favored an oligarchy. And the proof is that those in that Boulè served in the last one under the Thirty. Why do I relate this to you? That you may know that the decision of that Boulè was not well disposed to you, but was entirely for the destruction of your party, and that you may know them to be such. 21. Theocritus coming into the Boulè in secret session testified that some were to-

gether with the intention of raising opposition to the established government. But said he could not give their names individually, for he had sworn the same oaths with them; that there were others who would tell, but that he personally would never do it. 22. If he did not testify according to a plot, why did not the Boulè compel Theocritus to give their names, and not to give testimony without names? But now this vote was passed.

DECREE.

23. When therefore, the vote was passed, those chosen from the Boulè went to Agoratus at the Piræus, and falling in with him in the market-place, sought to arrest him. But Nicias and Nicomenes and a few others present, seeing that this was not best for the state, refused to let them take Agoratus, but took him from them and gave bail for him and pledged to bring him into the Boulè. 24. The councilors took the names of those who had given bail, and stopped them, and then went away to the city. But Agoratus and the bondsmen sat down on the altar of Munychia. While they were there they planned what must be done. It seemed best to the bondsmen and to all the others to get Agoratus out of the way as soon as possible, (25) and as two boats were moored at Munychia they besought him by all means to get out of Athens, and said that they themselves were willing to go away with him until the matter was settled, saying that if he were brought into the Boulè he would perhaps be tortured and forced to tell the names of the Athenians which those who wished harm to the state had suggested to him. 26. Although these urged him in this way and prepared boats, and were ready to sail with him, this Agoratus was not willing to obey them.

Agoratus, if there was no arrangement for you, and you were not sure of suffering no harm, why did you not go when boats were prepared for you, and your neighbors ready to sail off with you? For you could have done so, and the Boulè had you not yet in their power. 27. But they and you were not in equal danger. For in the first place they were Athenians and did not fear being tortured; then leaving their own land they were ready to sail away with you, thinking this was better than that many citizens should be unjustly killed by you. But, first, if you remained there was danger of your being tortured, and then, too, you had no native land to leave. 28. So in every way it was easier for you to make yourself scarce than for them, unless there was something in which you trusted. Now you say you did it unwillingly, while the truth is you willingly put to death many good Athenians. There are witnesses that everything was prepared as I say, and the vote of the senate will witness against you.

DECREE.

29. When this vote was passed, and those from the senate came to Munychia, Agoratus willingly got up from the altar; now they say he was torn away by force. When he was brought into the senate, (30) Agoratus first wrote down the names of his bondsmen; then of the Strategi and Taxiarchs; then also of certain other citizens. This was the beginning of all the evil. I think he himself will confess that he wrote down the names. But if he does not, I will convict him in the very act. Now answer me.

TESTIMONY OF AGORATUS.

31. Accordingly they desired him, gentlemen of the jury, to hand in more names, so strongly determined was the Boulè to do evil, and he himself did not seem to them to tell all the truth. Thus, voluntarily, he gave in all these names, as they put no restraint on him at all. 32. When the assembly was held in the theatre at Munychia some were so very anxious that he should also testify in the popular assembly against the Strategi and Taxiarchs (but as for the others the testimony in the senate was enough) that they led him there into the assembly. Now answer me, Agoratus. But I do not think you should deny what you did against all the Athenians.

TESTIMONY.

33. He himself confesses it, but nevertheless the votes of the people shall be read to you.

DECREES.

That this man Agoratus wrote down the names of these men, some in the senate and some in the assembly, and that he is their murderer I think you are well aware. That he was the cause of all the evils which befell the state and is not worthy to be pitied by a single one, I think I can show you in a few words. 34. For when these were arrested and put in prison then Lysander sailed into your harbors, and your ships were surrendered to the Lacedaemonians, and the walls were destroyed, and the government of the Thirty established, and indeed what evil was not done against the state? 35. When, therefore, the Thirty were established, they immediately tried these men in the senate, but the people

voted in the court before two thousand. Now read the vote to me.

DECREE.

36. If they had been tried in the court, they could readily have been saved. For you all knew in what evil the state was, although you were not able to bring aid. But the fact was, they brought them into the Boulè before the Thirty. And you know what a farce the trial was. 37. The Thirty sat on the seats where the Prytanès are now. Two tables were placed in front of the Thirty. It was necessary to deposit the vote, not in the urns, but in plain sight on the tables, the condemning vote on the further one so how could any one of them be saved? 38. And with one vote all that came into the council chamber to be tried before the Thirty were sentenced to death, and no one except this man Agoratus did they acquit; and they acquitted him as a doer of good. But that you may know how many were put to death by this man, I desire to read their names to you.

LIST.

39. When, therefore, gentlemen of the jury, the death sentence was passed on these and they were about to be put to death, one sent for his sister to come to the prison, another for his mother, another for his wife, and others for whatever female relative each of them had, in order that having embraced them for the last time they might end their life thus. 40. And Dionysodorus sent for my sister to come to the prison, for she was his wife. And when she knew this she went, dressed in a black garment, as was fitting on account of the terrible fate of her husband. 41. In

the presence of my sister, Dionysodorus left his property as he thought best, and said of this man Agoratus that he was responsible for his death, and charged me and Dionysius, his brother, and all his friends to be revenged on Agoratus in his behalf. 42. And thinking his wife was with child he told her if a son was born to tell the boy how Agoratus had killed his father, and to command him on his father's behalf to take vengeance on his murderer. That I speak truth I furnish the witnesses.

WITNESSES.

43. So these men were informed against and put to death by Agoratus. When the Thirty had removed these I think you know many misfortunes befell the state. This man is responsible for all of this, as he put them to death. It grieves me to be recalling the misfortunes which happened to the state; (44) but it is necessary, gentlemen of the jury, for you to know how much you are to pity Agoratus in this matter. For you know what sort of men and how many there were of the citizens who were carried away from Salamis, and what fate they met at the hands of the Thirty, and how many of those from Eleusis experienced this misfortune; and you remember those here who were led off to prison on account of private enmities. 45. They, having injured the city in no way, were forced to die a most shameful and inglorious death, some leaving aged parents who had hoped to be supported in their old age by their sons, and at their death to be buried by them; some leaving unmarried sisters, some little children needing their care. 46. What opinion, gentlemen of the jury, do you think they who were deprived of their dear ones by this man would have of him? Or what vote

do you think they would cast were it in their power? And yet (you are aware) that the walls were torn down and the ships given over to the enemy and the shipyards destroyed, and the Spartans held your Acropolis, and the whole power of the city was undermined so that the city was in no way different from the smallest town. 47. Besides this you lost your private property and finally were driven in a body by the Thirty from your country. Those who were good men, gentlemen of the jury, having learned this, said they would not allow peace to be made. 48. Those men, Agoratus, wishing to do some good to the city, you put to death, on the ground that they were plotting against the city and you are responsible for all the misfortunes which befell the city. So now, each one, remembering not only his own misfortunes, but also those common to the whole city, should revenge himself on the cause of these evils.

49. I wonder, gentlemen of the jury, what he will dare urge in defense. For he must show that he did not give convicting testimony against these men and that he is not responsible for their death, which he will never be able to do. 50. For in the first place the votes of the senate and assembly testify against him, clearly showing about what Agoratus made the accusations. Then the sentence which was passed on him by the Thirty and revoked again clearly shows this, "since," it runs, "he seems to have spoken the truth." Now read it to me.

EVIDENCE.

51. Therefore he can in no way prove that he did not hand in the names. He must make the following point clear, that he made the accusations justly, seeing these men doing injury to the republic and not

well disposed to the people. But I do not think he will try to show this. But in fact if they did any wrong to the people of Athens, the Thirty would not have condemned them for fear that the people should be overcome, taking vengeance on account of them, but I think quite the opposite of this.

52. But perhaps he will say that he did these evils unwillingly. But I do not think, gentlemen of the jury, that if any one with great unwillingness did great wrongs to you, greater than which there could not be, on this account you ought not to have revenge from him. Then remember this, that it was possible for this Agoratus to be saved and that he sat down at the altar of Munychia before he was brought into the Boulè. For his bondsmen prepared boats and were ready to sail away with him. 53. And if you had heeded them, and been ready to go away with them, you would neither willingly nor unwillingly have put to death so many Athenians. But being persuaded by those to whom you yielded, you thought that if you would only give in the names of the Strategi and Taxiarchs you would get something great from them. Therefore it is not necessary for us to feel sympathy for you since you felt none for those you put to death. 54. Hippias of Thasos and Xenophon of Icaria, who were summoned by the Boulè on the same accusation as he, were executed, and Xenophon was tortured. But Hippias thus because they did not appear worth saving to the Thirty (for they destroyed none of the Athenians). But Agoratus was acquitted because he appeared to have done the pleasantest things.

55. But I hear that he will put the blame on Menestratus for these documents. But what Menestratus did was this. This same Menestratus was informed

against by Agoratus, was arrested and put in prison. And there was Hagnodorus of Amphitropè, of the same deme as Menestratus, a connection of Critias, one of the Thirty. This one, at the time when the assembly was held in the theatre at Munychia, wishing Menestratus at the same time to be saved, and as many as possible of the people to be accused and put to death, brought him into the assembly and saved him according to this vote.

DECREE.

56. When they had passed this vote, Menestratus made his accusations and added the names of others of the citizens. The Thirty acquitted him, as they did Agoratus, as he seemed to tell the truth, but you long afterwards brought him into court as a murderer and, justly voting death for him, gave him over to the executioner, and he was beaten to death. 57. If he was put to death then Agoratus should justly be killed, as he was responsible for the death of Menestratus having accused him, and who is more to blame for those killed by Menestratus than he who put him in such a position?

58. He seems to me to be different from Aristophanes of Chollidae who was his bondsman, and who, having boats ready at Munychia, was willing to sail away with him. And at least as far as it depended upon him you would have been saved, neither having destroyed any of the Athenians nor being yourself put in any such danger. 59. But you had the audacity to accuse your deliverer, and having informed against him you put him to death and also your other bondsmen. As he was not a pure blooded Athenian citizen, some wished him to be put to torture and induced the people to pass this decree.

DECREE.

60. After this, those who had the administration of affairs at that time went to Aristophanes and begged him to make disclosures and be saved, and not be in danger of undergoing the extreme penalties, being tried for usurping the rights of citizenship. But he declared he would never do it. Such an excellent man was he toward those imprisoned, and the people of Athens generally, that he preferred to die rather than inform against and put to death any of them unjustly. That man killed by you was such a one, (61) and Xenophon was tortured, and Hippias of Thasos. But you had nothing in common with all these men, but you were persuaded that if they were put to death you would have a share in the government established, and you accused and put to death many good Athenians.

62. I wish to show you, gentlemen of the jury, of what sort of men you were robbed by Agoratus. If there were not many of them, you should hear about them separately, but as it is, collectively. For some of them who had been your generals gave over the city to their successors in an improved condition. And some held other high offices and performed the duties of Trierarchs and never had any disgraceful charge from you. 63. For some of them were saved and are present whom this one, as far as he could, tried to put to death with cruelty (and indeed sentence of death was passed on them), but chance and providence saved them. For fleeing from here and not being taken nor awaiting their trial, they came from exile from Phylè and were honored by you as being brave men.

64. Of these men, I say, some Agoratus put to death, others he made exiles from here. But whc

was he? For you must know that he was a slave and the son of slaves, that you may understand what kind of a man persecuted you. His father was Eumares, and Eumares was the slave of Nisocles and Anticles. And now, witnesses, take the stand.

WITNESSES.

65. Now, gentlemen of the jury, it would be a long task to enumerate the shameful and disgraceful things done by him and his brothers. As regards his informing, either how many private suits he brought by false accusation or how many prosecutions or dispositions he made, it is not necessary for me to say in detail. For you all together in the assembly, and in the court, convicted him of informing, and he was fined ten thousand drachmae. 66. This has been sufficiently proved by you all. Being a man of this sort, he endeavored to seduce and betray the free-born wives of the citizens, and he was taken in adultery. Death is the punishment for this. That I am speaking the truth, call up the witnesses.

WITNESSES.

67. Gentlemen of the jury, there were four brothers. The eldest was taken in the act of making treasonable signals to the enemy by Lamarchus of Sicily, and beaten to death. The second abducted a female slave in Corinth from a woman of the place, and, being taken and put in prison, was put to death. 68. The third, Phainippides arrested as a thief, and you being his judges and passing death sentence on him, gave him to be beaten to death. I think he will admit that what I say is true, and we have witnesses.

WITNESSES.

69. Why, then, is it not proper for you all to convict this man? For if each of them deserved death for one crime, surely, since he has committed many offenses, both publicly against the state and privately against you, for all of which crimes the penalty is death in our laws, you must condemn him to death.

70. Gentlemen of the jury, he will speak and try to deceive you (pretending) that he killed Phrynichus in the time of the Four Hundred; and he says the people made him an Athenian on account of this. But he lies, gentlemen of the jury, for he neither killed Phrynichus nor did the people make him an Athenian.

71. For, gentlemen of the jury, Thrasybulus of Calydon and Apollodorus of Megara conspired against Phrynichus. When they came up to him as he was walking, Thrasybulus struck Phrynichus and felled him with a blow, but Apollodorus did not even lay hands upon him. Then a shout was raised, and they set off to escape. But Agoratus was neither called in to help nor was he present nor did he know anything of the deed. This decree will make it plain to you that I tell the truth.

DECREE.

72. That he did not slay Phrynichus is plain from this decree. For nowhere is it (plain) that Agoratus is an Athenian as it is that Thrasybulus and Apollodorus are. If he did kill Phrynichus, his having been made an Athenian ought to be on the very same pillar as Thrasybulus and Apollodorus by giving money to the orator they get their own names inscribed on the pillars as being doers of good. And this decree will convince you that I speak the truth.

DECREE.

73. So much does this man despise you that, although not being an Athenian, he served on the jury and in the assembly, and brought all manner of indictments, having himself enrolled as from Anagurius. Phrynichus established the Four Hundred, and when he was put to death many of the Four Hundred fled.

74. Do you think, therefore, that the Thirty and the Boulè, which was in session under the administration of the Thirty, all of whom were of the Four Hundred exiles, if they had captured the man who killed Phrynichus, would have let him go or punished him on account of the exile to which they were subjected?

I think they would have punished him. If, on the one hand, he pretends to have killed him, though he did not, he is, as I say, guilty. 75. But if you deny

it and say that you did kill Phrynichus, it is plain that by doing greater evils to the Athenians you freed yourself to the Thirty from the charge concerning Phrynichus. For you can never persuade any man that, having killed Phrynichus, you would have been let off by the Thirty, unless you did great and incurable wrongs to the people of Athens.

76. If, therefore, he asserts that he killed Phrynichus, bear these things in mind and take vengeance for what he has done. But if he says he did not, ask him on what account he says he became an Athenian. If he can not show how, punish him because he acted as a juror and served in the assembly and accused many falsely, having his name enrolled as an Athenian.

77. I hear that he will allege in defense that he went to Phylè and came back from Phylè with the rest, and this is his strongest plea. This was the fact. He went to Phylè. And how could there be a greater

wretch than he who, knowing that there were many at Phylè whom he himself had banished, dared to go there to them? 78. As soon as they saw him they seized him and took him to kill him at the same place where they put others to death, whenever they caught any robber or criminal. But Anytus, who was in command at Phylè, said that they must not do this, telling them they were not in a condition to take vengeance on some of their enemies, but must now keep the peace, and if they ever returned home then they would punish those who had done them injury. 79. Saying this, he became responsible for his escape at Phylè. And they were obliged to obey a general if they were to be saved. But more than this: no one would receive him as a messmate or be his tent companion, nor would the Taxiarch give him a place in his line, but as if he were accused no man would speak to him. And call the Taxiarch to me.

WITNESS.

80. When the agreement was made with each other and the citizens from Piræus made a procession into the city, Aesinus was the leader of the soldiers, and this one so audacious also was there. Having taken arms he accompanied them and took his place in the procession with the citizens to the city. 81. When they reached the gates and halted before going into the city, Aesinus saw him and went to him and seized and flung down his shield and told him to go to the crows and leave the citizens. For he declared that a murderer should not proceed in the procession to Athens. Thus was he driven off by Aesinus. That I tell the truth, call up my witnesses.

WITNESSES.

82. This was the relation, gentlemen of the jury, in which he stood to the citizens at Phylè and the Piræus. For no one spoke to him because he was a murderer, and Anytus is responsible for his now being alive. If, therefore, he alleges in defense that he was on the way to Phylè, he must answer whether Anytus was responsible for his not being killed when they were ready to punish him, and whether Aesinus took away his shield and would not let him join the citizens in the procession, and whether any Taxiarch enrolled him on his list.

83. Thus you should neither receive this excuse from him, nor let him say he is punished a long while after the crime. For I do not think there is any limited period for such an offense; but I do think if anybody is punished, either immediately or after a long time, he must show that he did not do the things of which he is accused. 84. Let him prove this: either that he did not kill these men, or that he did it justly as they did some wrong to the people of Athens. And if we punish him a long time after he should have been punished, he gains the time he has lived which did not belong to him, and the men were killed by him just the same.

85. But I understand that he lays great stress upon the fact that he was indicted and brought up as taken in the act. I think that is the most foolish thing of all. As if he would have been liable to arrest if it had not been added "taken in the act"! But as this has been added he thinks there will be some relief for him. But this is the same as allowing that he put the men to death but was not taken in the act; and he relies a great deal on this, as if he must be saved because he killed the men but was not taken in the act. 86. The Eleven who arrested him seem to me

not to have thought they were than sharing in the same deeds with Agoratus, and believing that they were acting rightly, forced Dionysius to make the arrest, and then added "taken in the act." First, then, having informed against some in the presence of the five hundred in the senate, and then of the whole people of Athenians in the assembly, he slew some and became responsible for their death. 87. For he does not think this alone is "taken in the act," if any one struck a man with a club or sword and knocked him down, since by your argument no one appears to have slain the men whom you deposed. For no one either knocked them down or killed them, yet they were forced to death by your accusation. Therefore is he, who is the author of their death, not "taken in the very act"? For who else was the author, if not you who deposed them? So, then, in what way are you not their murderer, taken in the very act?

88. I understand that he will talk of oaths and agreements; that he is on trial in violation of the oaths and compacts which we in the Piraeus confirmed with those in the city. Accordingly, putting so much trust in these things, he confesses he is a murderer. So he puts something in the way, either oaths or compacts or "taken in the act," but he does not trust to the deed itself that he will come out of the trial successfully. 89. But it is not fitting for you, gentlemen of the jury, to accept his defense on these grounds. Bid him make his defense on these points: that he did not give in the names, or that the men were not put to death. Then I think the compacts and agreements have nothing to do with us in this case. For the oaths were made by those in the city to those in the Piraeus.

90. Now if he was of the city party and we of the Piraeus, the oaths would have some argument for him. But the truth is, he is of the Piraeus party and Dionysius and I and all the rest of those who are taking vengeance on him, so that there is nothing at all in our way. For those in the Piraeus made no oaths with those in the Piraeus.

91. By all means this man seems to me to deserve not merely one death; this man who says (he was adopted by) the people, and seems to have treated badly the people whom he calls his father, and neglected and betrayed those by whom he might have become better and more powerful. One, therefore, who is found to have maltreated his father and not to have furnished him with the necessities of life, and to have taken away from his adopted father the property he had, does not he on this account, by the law of maltreatment, deserve to be put to death?

92. It is the duty of all of you, gentlemen of the jury, just as of each one of us, to take vengeance on behalf of these men. For when they died they left this charge to you and to us, and to all others, to punish on their behalf this Agoratus, their murderer, and to injure him as much as each one could. If these men ever did any good to the state or to the people — and you yourselves admit that they did — it is the duty of all of you to be their friends and relatives, so they made this request no more of us than of each one of you. 93. Accordingly it is right, neither by divine nor human law, for you to let this man go. Therefore do you now, Athenians, take vengeance on this man, their murderer, since you can do so, as at the time the men died you were not able to aid them on account of the circum-

stances which surrounded you. Remember, Athenians, that you are not doing the cruelest act of all. But if you acquit this Agoratus you are not only doing this, but also, by the same vote, you sanction the death of those men whom you admit to have been well disposed to you. 94. By acquitting the man who is the author of their death, you are deciding that they were justly put to death. 'They would feel most terribly if those to whom they had entrusted the task of revenge, as being their friends, should cast the same vote as the Thirty on these men. 95. By the gods, gentlemen of the jury, do not in any way, or by any act or contrivance whatever, vote to sanction the death of these men who were killed by the Thirty and this Agoratus for having done many good things for you. Remembering all the evils, both those in common with the state and those in a private way, as many as each endured when these men met their death, take vengeance on the author of these things. It has been clearly proved from the votes and testimony and everything else, that Agoratus was the cause of their death. 96. Besides, it is your duty to vote in opposition to the Thirty. Acquit those whom they condemned. Condemn those whom they acquitted. The Thirty decreed death for those men who were your friends whom you must acquit. They acquitted Agoratus since he seemed to destroy those zealously; him you should condemn. 97. If you vote in opposition to the Thirty, in the first place, you will not be their accomplices; then again you will have avenged your own friends; finally, you will seem to have voted in accordance with divine and human laws.

ORATION XIV.

ALCIBIADES.

1. I presume, gentlemen of the jury, that you need to hear no reason from those who wish to prosecute Alcibiades, for from the start he so conducted himself in the public that it is every one's duty, even if he happen not to be privately injured by him, to consider him an enemy from his other actions. 2. For his sins were not trivial, nor do they deserve pardon, nor offer any hope of his becoming better in future, but his deeds have come to such a pitch of evil, his enemies are ashamed of those deeds in which he glories. As for a long time, ever since a dispute arose between our fathers, I have considered him my enemy, and now again since he has treated me wrongly, I, gentlemen of the jury, will try to punish him by your aid for all which he has done. 3. Arcestratides has arraigned him sufficiently about other matters, for he declared the laws and brought evidence; but what he omitted, I will go over point by point with you.

4. Now it is reasonable, gentlemen of the jury, for those who serve as jurors in regard to these subjects for the first time since we made peace to be not only jurors but lawgivers, knowing well that, as you decide about these matters now, the city will manage in future. And it seems to me to be

the part of a good citizen and impartial juror to define the laws as is most likely to benefit the state in future. 5. For some go so far as to say that no one is liable (to a charge) of desertion or cowardice; for there has been no battle and the law bids the soldiers to try "*any one who goes to the rear through cowardice while the others are fighting.*" And the law does not provide for this case alone, but "*whoever is not in the ranks.*" Now read the law.

LAW.

6. You hear, gentlemen of the jury, that there are two provisions, for those who go to the rear during a battle, and those who fail to appear in the ranks. Now consider who ought to appear. Are they not those of military age? And those whom the Strategi enroll? 7. And I think, gentlemen of the jury, that he alone of the citizens is liable by the whole law. For he would be convicted of not being in the ranks, as when he was enrolled as a hoplite he did not go out with you in camp, and he did not let himself be placed in ranks, — and of cowardice, for although he ought to have met danger with the hoplites, he chose to go with the cavalry. 8. But they say he will offer this defense, that in going with the cavalry, he did no harm to the state. But I consider you have just cause of anger against him on this account, that although the law imposes a fine on any one in the cavalry who is not examined, he dared to enter the cavalry without examination. Now read the law.

LAW.

9. He reached such a degree of depravity, and he had so little respect for you and so much fear of the enemy, and he had so great a wish to join the cavalry and cared so little for the laws that he disregarded the risk, and was willed to be fined and have his property confiscated and be liable to all these existing penalties, rather than to take up his position in the ranks with the citizens and be a hoplite. 10. And others who never served in the infantry and who were formerly in the cavalry and did great damage to the enemy never dared mount their horses through fear of you and the law; for they laid their plans, not as if the state would perish, but would be secure and prosperous, and would exact punishment of wrong-doers. But Alcibiades dared mount, neither through goodwill to the state, nor because he had been a knight, nor understanding (cavalry drill), nor having passed your examinations, (supposing) that the state would be unable to exact penalty of offenders.

11. It is necessary to remember that, if it is possible to do whatever one wishes, there is no use in having laws, nor for you to be impaneled, nor for Strategi to be chosen. And I wonder, gentlemen of the jury, if any one claims if a man, enrolled in the first rank, on the approach of the enemy, is found in the second, that he should be condemned for cowardice, but that if one, enrolled among the hoplites, appears among the cavalry, he should be pardoned. 12. Now, gentlemen of the jury, I think you are drawn, not only for punishing offenders, but that you may make other offenders more discreet. If now you punish only obscure persons, no one will become better, for none will know whom you have condemned; but if you punish conspicuous offenders, all will hear of it, and in consequence of their examples the

citizens will become better. 13. If now you condemn this fellow, not only will those in the city hear of it, but your allies and enemies will learn of it, and they will more highly esteem the state, if they see you are aroused against such offenses, and that those who offend against discipline in war have no pardon. 14. Remember too, gentlemen of the jury, that there are some soldiers who chance to be exhausted, and some who lack resources, and some who would gladly serve (if they could) remain in towns, and others who wish to look out for their own affairs at home, others who would have liked to serve as light-armed soldiers and others in the cavalry; (15) and yet you do not venture to leave the ranks nor choose what pleases yourselves, but you fear the laws of the state more than the risk before the enemy. Bearing these things in mind, it is now necessary to cast your vote, and make it evident to all, that those Athenians who are unwilling to fight with the enemy will be punished by you.

16. I am convinced, gentlemen of the jury, that the defendants will have nothing to say about the laws or the deed itself; but they will get up and ask and entreat you, demanding that you should not condemn the cowardice of the son of Alcibiades on the ground that he did great good and not much harm; for (in reality) if you had put him to death at the same age (that his son now is), when you first discovered his offenses against you, such misfortunes had never befallen the state. 17. It seems to me, gentlemen of the jury, a dreadful thing for you to have passed sentence of death upon the father, and when the son commits a crime, you acquit him for this very reason, that he himself did not dare to fight on your side, and that his father took part with the enemy. And when

as a child he did not yet show what he was going to be, he was almost delivered to the Eleven for his father's offenses; and as you know not only the deeds of the father, but the son's cowardice, will you think it right to pity him for his father's sake? 18. Is it not terrible, gentlemen of the jury, that these are so fortunate as to be acquitted on account of their noble birth when they are caught in crime, while we, if we lose by their lawlessness, could not gain any concession from the enemy on account of the valiant deeds of our ancestors? 19. These were many and important, and (were done) for all Greece, and were not at all like theirs in relation to the state. And if they think they are noble for aiding their friends, they are evidently all the better for punishing their enemies. 20. And I think, gentlemen of the jury, one ought to be angry if his relatives try to beg him off, that they did not (rather) induce him, or if they tried to induce him, but could not obtain their end, to comply with the demands of the state. In fact, they are trying to persuade you that you need not exact a penalty from wrong-doers. 21. And if some of those in authority aid him, making a display of their power and pluming themselves that they can get off even those who are evidently criminal, you must suppose in the first place that if all were like Alcibiades there would be no need of generals, for there would be none to lead, and secondly, that it is far more for their interests to accuse those who leave the ranks than to make a defense for such. For what hope is there that others would wish to obey their generals' commands, when these very men try to screen offenders against discipline? 22. I beg you then to acquit him, if those who speak and make claims for Alcibiades proved that he served with the hoplites or with the cavalry

after an examination; but if, without a just plea, they demand you to favor them, you are to remember that they are teaching you to break your oath, and disobey the laws, and that by too great zeal for offenders they make many desirous (of emulating) their deeds.

23. And I especially wonder, gentlemen of the jury, if any of you shall claim that Alcibiades be acquitted through his friend and not be condemned for his own baseness. It is right that you should hear of this (conduct), that you may know that you would not do right to acquit him on the plea that he has merely committed this wrong, but in other respects has been an exemplary citizen. For from other deeds of his you would justly condemn him to death.

24. It is for your interest to know about these things, for when you allow defendants to speak of their own good deeds, and the noble actions of their ancestors, you ought also to listen to the accusers, if they prove that the defendants have committed many crimes against you, and their ancestors did much harm.

25. For this man, when a youth, at the house of Archedemus the blear-eyed, who had stolen much of your money, while many eyes were upon him, drank, lying at full length under the same rug, and caroused at midday, having a mistress while a mere boy, imitating his ancestors, and thinking he could not be an illustrious man, unless he were a wild youth.

26. He was summoned by Alcibiades when his conduct became notorious. And what sort of a fellow should you think him, when he shocked that man who used to teach others such practices! Having conspired with Theotimus against his father, he betrayed Oreus to him. And Theotimus, taking the fortified place, first maltreated the youth and finally bound him and exacted a ransom for him.

27. And

his father hated him so that he used to say he would not even care for his body if he died. And when his father died, Archebiades, a favorite of his, ransomed him. Not long after, having gambled away his property, setting sail from Leukè Aktè he tried to drown his friends. 28. It would be a long story, gentlemen of the jury, to tell all his crimes against the state, his relatives, friends and others; but Hipponicus, having called many to witness, divorced his own wife, declaring that Alcibiades entered her house not as brother but as husband. 29. And though he has committed such crimes and done such horrible things, he neither repents of what he has done nor cares for what he will do, but he who should be a most illustrious citizen, making his life a shield for his father's misdeeds, tries to bring insult upon others, as if being able to transfer to others the smallest share of the disgraces which belong to himself, (30) and that too being a son of that Alcibiades who persuaded the Spartans to fortify Decelea, and sailed off to the islands, and incited many in the city to crime, and oftener fought against his country with its enemies than with his fellow-citizens against them. For all this, it is for the interest of yourselves and posterity to punish any one you find of this family. 31. He has been accustomed to say it was not right for his father to return from exile and be favored by the state, and (yet) that he should suffer unjustly in reputation on account of his father's exile. But it seems wrong, if you take away his privileges on the ground that you gave (them) without just reason, and when this one commits a wrong acquit him on the ground that his father was an ornament to the state.

32. And there are many other reasons, gentlemen of the jury, for you to condemn him, and for this

reason especially, that he quotes as a precedent in support of his own baseness your acts of valor. For he dares say that Alcibiades did nothing so terrible in leading war against his country. 33. For while you were in exile you took Phylè and cut the trees and made assaults upon the walls, and though so doing left no reproach for your descendants, but gained honor from all men, as if those were on a par who in exile joined with the enemy against the country, and those who established themselves when the Spartans were in possession of the city. 34. I believe it is clear to all that these fellows sought to establish themselves; but you returned and expelled the enemy and freed even those citizens who wished to be slaves. So he uses like words about the two parties while the facts were not at all similar. 35. And yet, with such great misfortune coming upon him, he glories in his father's baseness. and said that he had great power, to bring evil upon the state. But who is so ignorant of his country as not to be able, if he wishes to be a traitor, to tell the enemy what fortified places to seize, to show what forts are ill-guarded, to teach them his country's weak points, and to declare which allies are ready to revolt? 36. Surely it was not through his power in exile he was able to work evil to the state when he returned deceiving you, and took command of many triremes, but was able neither to dislodge the enemy from the country nor make the Chians friendly again whom he had caused to revolt, nor do a particle of good to you. 37. So it is not difficult to realize that Alcibiades did not differ from other men in power, but was first of the citizens in villainy. Whatever he knew to be your weak points, he informed the Spartans, and when he had to act as general,

he could do them no harm, but promising that the king would furnish money at his request, he took more than two hundred talents from the city. 38. And so he realized that he had done you much harm, and though being able to speak, and while he had friends, and having acquired the money, he never dared return and render his accounts, but exiling himself preferred to be a citizen of Thrace or of any other city rather than his own. And finally, gentlemen of the jury, to cap all his former baseness, he dared with Adeimantus to betray the ships to Lysander. 39. So if any one of you pities those who perished in the naval battle, or feels disgrace on account of those enslaved by the enemy, or is angry at the demolishment of the walls, or hates the Spartans, or is angry at the Thirty, he should consider that this man's father was the cause of all this, and remember that Alcibiades, his great-grandfather, and his great-great-grandfather on his mother's side were ostracized twice by your ancestors, and that the older men among you condemned his father to death; so you must consider him as an hereditary enemy of the state and as such condemn him, and care less for pitying and pardoning him than for the existing laws and the oaths which you have sworn. 41. But you must consider, gentlemen of the jury, on what ground you should spare such men. Is it on the ground that in relation to the state they have been unfortunate, but otherwise have lived with moderation and in an orderly fashion? Have they not been unchaste, and lived with their sisters, and some have had children by their daughters, (42) others have performed the mysteries, mutilated the Hermae, been impious before the gods, wronged the state, have lived without regard to justice or law in relation to others or to

their fellow-citizens, have refrained from no deed of daring, nor left untried any crime? They have experienced and done everything. For such is their disposition as to be ashamed of good deeds; and to glory in crime. 43. Now it is true, gentlemen of the jury, that before now you have acquitted some, although knowing they were in the wrong, believing that in the future they would be useful to you. But what hope is there that the state will be benefited by this fellow, whom you will know to be worthless as soon as he begins his defense, and understand to be a coward from the rest of his disposition. 44. If he were banished, he could not work you any evil, being a coward and poor and unable to effect anything, at variance with his kinsmen and hated by other men. So for this reason he should not be cared for, (45) but much rather should he furnish an example to other men, especially to his associates, who are not willing to obey commands and desire such a course of action as his, and while mismanaging their own affairs attempt to dictate about yours.

46. I have made my accusation as best I could, and I know that there are some of my audience who wonder how I was able to ferret out so accurately their misdeeds, while the defendant is laughing to himself because I have mentioned (only) the smallest part of their sins. 47. So taking into account what has been omitted as well as what has been said, condemn him by your votes, remembering that he is liable to the charge, and that the state would gain much if relieved of such citizens. Read now to them the laws and the oaths and the writ, and with these in mind they will vote justly.

ORATION XVI.

MANTITHEUS.

1. If I did not know, members of the Boulè, that my accusers wished to injure me in every way, I should have felt grateful to them for bringing this charge. For I think to men slandered unjustly these charges are of great benefit, as they compel them to exhibit their mode of life. 2. I feel so sure of myself that I hope, if any one here entertains feelings of dislike toward me, he will, having heard what I have to say of the facts, think better of it and be in all after-time a good friend to me. 3. I make no claim, members of the Boulè, to do anything more than show you that I am well disposed to the existing constitution and that I shared the same dangers that you did. If I make plain to you that I have lived well, contrary to common report and the assertions of my enemies, I want you to pass me and count them bad. First, I will show that I did not serve in the cavalry, that I was not in Athens at the time of the Thirty, and that I took no part in the government of that time.

4. My father sent me before the disaster on the Hellespont, to live at the court of Salyrus, king of Bosphorus, and I was not at home, either while the walls were being taken down, or the constitution was undergoing change, but returned five days before the party of Phylè occupied the Piræus. 5. It is not

likely that, arriving at such a time, I was desirous of sharing other people's dangers, and they evidently did not have any idea of sharing the management of the government with those who were away from home and not guilty of disloyalty, but rather disenfranchised even those who helped them to abolish the democracy. 6. And in the next place it is foolish to estimate the cavalry from the register. For there are many persons on this list who admit that they did not serve in the cavalry, and some are written there who were away from home. Here is the strongest proof. For when you returned you voted that the phylarchs should give in a return of those serving in the cavalry that you might recover the allowances. 7. No one can show that my name was handed in by phylarchs, nor given to the revenue commissioners as having received an allowance. So it is plain to all that it was necessary for the phylarchs, if they did not give in the names of those having received the allowance, to be losers themselves. So you ought to put much more trust in the returns of these men than you do in the register. 8. Yet, members of the Boulè, if I had served in the cavalry, I should not have denied it as if I had been guilty of a terrible crime, but should claim, if I proved I had done no one of the citizens any wrong, that I ought to be passed. I see that, following this plan, many who served in the cavalry at that time are in the Boulè, and many have been appointed generals, and many commanders of cavalry. Believe, then, that I make this defense for no other reason than that they have dared lie about me before the whole world. Come and give evidence.

EVIDENCE.

9. I do not know that I need say anything further about the charges. I believe in cases of another sort it is only necessary to make a defense by refuting accusations, but in trials concerning examination, to offer to give an account of one's entire life. I wish you to listen to me fairly. I will make the account as short as I can.

10. In the first place, though I was left little money by my father, both on account of his misfortunes and the calamity that befell the city, yet I married off my two sisters, giving them thirty minae as a dowry; and I so divided the property between myself and my brother that he admits that he had more than his share. And in all other relations of my life I have so behaved that no one ever brought an indictment against me. 11. I think the greatest proof of the blamelessness of my public life is that all the young men who habitually spend their time with dice, or in drink, or excesses of this sort, are my enemies; and it is just they who get up and circulate such stories about me. If I and they had the same tastes, it is plain that they would have had no such opinion of me. 12. No one can prove that I have had a private suit, a public suit, or was ever impeached before the Boulè. But you see other men often engaged in such cases. Last of all, see how well I served the state in the army and in the expeditions against the enemy. 13. For first, when you made the alliance against the Boeotians, and it was necessary to send assistance to Haliartus, I was put in the list of the cavalry by Orthoboulus; but seeing that all thought the cavalry was safe, but that there was danger to the hoplites, while others not qualified by law were trying to get enrolled on the cavalry, I reported myself to Orthoboulus to be struck off the list, thinking

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it disgraceful to be in security myself while others were in danger. Come and testify for me, Orthoboulus.

WITNESSES.

14. Again, when the members of my deme were assembled for the expedition, as I saw that some were honorable, wealthy and zealous, but that there were others who lacked the means for the journey, I moved that the wealthy provide the outfit for the poor. And I not only counseled the others to do this; but I myself gave two men thirty drachmae each; not that I was worth much, but for an example to the rest. Come forward, witnesses.

WITNESSES.

15. After this, members of the Boulè, during the expedition to Corinth, when all saw that there would be warm work, and others were shirking, I arranged to be stationed in the rank next the enemy. And besides, when our tribe was overthrown and most of it perished, I retreated after that fine gentleman of Steiria, who has been reproaching all men with cowardice. 16. And not many days later, by the capture of the strongholds in Corinth, the enemy was unable to advance, and Agesilaus invaded Boeotia, and the archons voted to detach certain ranks and send them to aid. All were afraid (naturally enough, too, members of the Boulè, for it is hardly probable that men who had just escaped would wish to place themselves in danger again), but I, going of my own accord to the commander, asked him to send my company.

17. If, then, some of you are angry at those who claim to act in the interest of the state, and who nevertheless run from danger, you ought to have no such opinion about me. Not only did I do zealously what was commanded me, but I even exposed myself to great danger and did this, not because it was a light matter to fight the Spartans, but that if I ever were unjustly brought to any trial, I might, with a better reputation for valor, get full justice. Now bring witnesses.

WITNESSES.

18. I did not shirk any of the other expeditions nor the garrison duty, but always marched with the foremost and retreated among the last. You ought to estimate from such considerations, those who live well and in order, and not hate a man for wearing his hair long. For habits of this sort injure neither the private citizen nor the city at large, but you are all benefited by those who meet the dangers of the enemy. 19. It is not right to either love or hate a man on account of his looks. For many who talk modestly and dress well have been the cause of great evils, and others who pay no attention to these things have effected great good.

20. I see that some, members of the Boulè, are dissatisfied because I, so young a man, have ventured to speak before the people. I was compelled to do so first on account of my case, and then I seem even to myself to be somewhat more ambitiously disposed than I ought to be, both because I remember my ancestors who never stopped working for the city, (21) and because I perceive that you (for I must speak the truth) think that only men of

this sort are worth anything. So, seeing you have this opinion, who could not be induced to work and speak in behalf of the city? Why, then, should you be disgusted with men of this sort? For it is you and no other people who judge them.

ORATION XVII.

PROPERTY OF ERATON.

1. Perhaps some of you, gentlemen of the jury, on account of my wish to be a worthy citizen, think that I can speak better than other men. But I am so far from being able to speak about what does not concern myself, that I cannot say what I ought in regard to those things about which I should speak. I think however, if I shall go over the whole affair between myself and Eraton and his children, that you will easily understand what view to take about the claim. So hear me from the start.

2. Eraton, the father of Erasiphon, borrowed two talents from my grandfather. That he took the money and that he asked him to lend so much, I will furnish as witnesses those in whose presence it was given. How he employed it, and what use he made of it, those who know better than I and were cognizant of his proceedings will declare and give evidence to you. Now call the witnesses.

EVIDENCE.

3. As long as Eraton lived, I received the interest and other details of the transaction. When he died he left three sons, Erasiphon, Eraton and Erasistratus, but they no longer paid their dues. So in the war, as there were no courts, we could not exact from them

what they owed, and when peace came, when civil suits were being heard, my father, having obtained leave to bring suit against Erasistratus for the whole debt, as he alone of the brothers lived in the city, obtained judgment against him in the archonship of Xenaetnetus. Now call the witnesses.

WITNESSES.

4. That the property of Eraton would rightfully be ours, is easily seen from these men, and that it is all confiscated, from the lists, for three or four persons entered the items. Now this is clear to every one that they would not have omitted anything else which it was possible to confiscate while making a list of all Eraton's property, — even what I have for some time held myself.

I think it is evident that I cannot recover this money elsewhere if you confiscate this property. 5. But now see in what a different spirit I and these persons make my claim against you. For as long as the friends of Erasiphon disputed the property with me, I claimed it was all mine, because Erasistratus was defeated while defending a suit against my father for the whole. And I have let the property at Sphetus for three years past, and was engaged in a suit with the occupants of the property at Cicyna and the house there. But last year they struck out the suit on the ground that they were merchants; but now, though I brought in my suit in the month Gamelion, the Marine Court rendered no decision. 6. And since you thought best to confiscate Eraton's property, I think two shares should be allowed the state and the property of Erasistratus be voted to me, as you have decided that this was formerly in my possession. So

I have picked out for myself one-third of the property, roughly estimated, and leaving over two-thirds to the state. 7. It is easy to find out from the valuation put upon it. All the property has been valued at more than a talent, and what I claim, I value at five minae and a thousand drachmae respectively. If they are worth more than this, when the property is sold, the state shall have the rest. 8. That you may know that these are the facts, I will bring as witnesses to you, first, those who hired from me the place at Sphettus, then those living near the place at Cicyna who were acquainted with me when I made the claim three years ago, also the archons of last year before whom the suits were brought, and the present Marine Court. 9. The lists too will be read you, for from them you will know that my claim to this property is not a recent one, and that I do not ask more from the state than from private individuals. Now call the the witnesses.

WITNESSES. LISTS.

10. It has now been proved that I do not wrongfully claim the decision of the property in my favor, but that after relinquishing much of the property to the state I claim this only. And now it seems right for me to ask this of you, and the magistrates with you.

ORATION XIX.

PROPERTY OF ARISTOPHANES.

1. This suit troubles me greatly, gentlemen of the jury, when I consider that if I do not speak well, not only I, but my father will appear in the wrong, and I shall lose all my property. So, if I am not naturally skillful in this task, I must come to the rescue of myself and my father as best I can. 2. You see the careful preparation and zeal of my enemies, and I need say nothing about them, and all who know me know my inexperience. So I shall beg you grant what is just (for me) and easy (for you), to hear me with patience, as well as the prosecution. 3. For a defendant is necessarily at a disadvantage even if you listen impartially, for the prosecutors have planned for a long time, and without any risk to themselves have made their attack, but I struggle with fear, prejudice and great danger. So it is right for you to show greater favor to the defendants. 4. For I suppose you all know that many who make terrible accusations have at once been convicted of falsifying so evidently, that they leave the court and become mistrusted for all they do. Some again have been convicted of false witness and of seeking to ruin men, when there was nothing more to their advantage. 5. Since, as I hear, there are many such cases, gentlemen of the jury, do not trust the words of the prosecution until I speak. For I hear, and I think many

of you know that slander is most difficult (to deal with). 6. Surely we may realize this when so many come to trial on this charge, for usually the last tried are acquitted; for you listen to them without prejudice, and you admit their arguments willingly. 7. So remember that Nicophemus and Aristophanes were put to death without a trial, before the arrival of any one to (hear) them proved guilty. For no one saw them after the arrest; for they did not give up their bodies for burial, and so terrible was their fate, that besides all the rest they were deprived of this (privilege) too. 8. But I will pass this by, for I could never finish (the subject); but much harder I think was the fate of the sons of Aristophanes. For though never wronging any one in public or private, they not only lost their patrimony contrary to your laws, but also their remaining hope was blighted of being brought up by their grandfather. 9. Still I, deprived of kindred, of the dowry (of my sister), and having to bring up three children, have charges brought against me, and run in danger about the inheritance which my ancestors left me, acquired legally (by them). And yet, gentlemen of the jury, my father during his lifetime spent more for the state than for himself and family, and it was four times what I have now, as I was often at hand when he was reckoning. 10. Do not prejudge the injustice of a man who spent little for himself and much every year for you, but (be ready to condemn those) who are accustomed to spend their patrimony and everything else they get for vicious pleasures. 11. It is difficult, gentlemen of the jury, to defend myself contrary to the opinion which some hold about the property of Nicophemus, both because of the present scarcity of money in the state, and because the suit concerns the treasury.

And yet under these disadvantages, you will readily see that the accusations are not true. And I beg you by every means in my power to hear me favorably to the close, and to vote whatever you think best and in best accord with your oaths.

12. In the first place I will inform you how they came to be connections of mine. For Conon, commanding near the Peloponnesus, who was my father's friend when he was Trierarch, asked him to give my sister to the son of Nicophemus when he asked her hand. 13. And he seeing that they (*Nicophemus and his son*) were trusted by Conon, and were serviceable to the state, then at least conforming to her laws, promised to give her, not realizing the bad reputation into which they would fall, at a time when any one of you would have wished to be connected with them; that it was (done) for the sake of money, it is easy to understand from the whole life and conduct of my father. 14. For when he was at a suitable age, although he could have married another with a large dowry, he married my mother who brought none, because she was the daughter of Xenophon, son of Euripides, who not only seemed to be of good character, but you thought him worthy to be Strategus, as I hear. 15. Moreover he did not give my sisters to rich husbands who would have been willing to take them without dowries, because they seemed to be of inferior birth, but one to Philomelus of Paeania, whom they say is better in character than wealth, another to a man who lost his property through no fault of his own, his nephew, Phaidrus of Murrhinoutè, besides giving him forty minae, and the same to Aristophanes. 16. And besides, though I could have (married a woman with) a large dowry, he advised a smaller one, that I might be sure of having connec-

tions orderly and discreet. And now my wife is the daughter of Critodemus of Alopekè, who was put to death by the Spartans after the naval battle of the Hellespont. 17. And now, gentlemen of the jury, is it not probable that one who married without a portion, and gave his daughter much money, and took a small dowry for his son, should be trusted to have sought connection with these men for no money considerations?

18. It is easy to see that Aristophanes, already married, would have confided in any one sooner than my father. For their ages were wide apart, and their dispositions still more; for my father had merely his own concerns to attend to, but Aristophanes wished to attend not only to his own private affairs, but to public ones as well, and if he had any money, he spent it in his desire for honor. 19. You know from what he used to do that I speak the truth. For first, when Conon wished to send some one to Sicily, he undertook the commission and went with Eunomus, enjoying the friendship and hospitality of Dionysius, who benefited the state greatly, as I heard from those in his company at Piræus. 20. And the hope of the expedition was to persuade Dionysius to become allied to Evagoras, and hostile to the Spartans, and a friend and ally to your city. And this they did in spite of dangers which threatened by sea and from the enemy, and they persuaded Dionysius not to send the trireme which he had prepared for the Spartans. 21. And afterwards, when ambassadors came from Cyprus for assistance, he did cease his activity. You gave them triremes, and voted other aid, but they lacked funds for the expedition. For they came with little money, and asked for much; for they (asked it) not only for the ships, but they hired

mercenaries, and bought arms. 22. Now Aristophanes himself furnished most of the money; and when there was not enough, he persuaded his friends, asking for it and giving securities, and having forty minae of his half-brother at his house he used them up. And the day before he sailed, he went to my father and asked him to lend him whatever money he had. For he said it was needed for paying the mercenaries. We had in ready money seven minae, and he took this and used it up. 23. Now what man, gentlemen of the jury, ambitious, with letters from his father that he would find no lack in Cyprus, having moreover been chosen ambassador, and being about to sail to Evagoras, would have left everything behind, and would not, if he could by contributing everything, please him (*Evagoras*) and make a large profit? That this is the case, call Eunomus.

WITNESSES.

24. You hear the witnesses, both that they lent (the money) at his demand, and that they received it back, for it was brought them on the trireme.

From what has been said, it is easy to see that in these emergencies he spared himself not in the least. 25. Here is the best proof: Demus, the son of Pyrolampes, in command of the trireme for Cyprus, asked me to go to him, saying that he had from the king of Persia a golden bowl, for which he wished to get seventeen minae, which he would spend on his trierarchy; when he came to Cyprus he would redeem it, paying twenty minae; for through this pledge he would have plenty of money and other advantages in Asia Minor. 26. Aristophanes, hearing this from Demus, though I urged him, and although he would have taken the cup, and gained four minae interest,

said he had no money, and declared he had borrowed from his friends besides, otherwise he would be most glad to take the pledge and oblige us by what we asked. 27. I will bring witnesses that these are the facts.

WITNESSES.

From the evidence it is certain that Aristophanes left no money behind; and he had not much (in the way of) bronze. And when he entertained the ambassadors from Evagoras he had to borrow the plate. And we will read you what he left.

INVENTORY.

28. Perhaps some of you, gentlemen of the jury, think this is a small inventory. Bear this in mind, that before our naval victory he only had a little estate at Rhamnus. The naval battle was in the archonship of Euboulus. 29. So in four or five years, as at first he had no property, it was no easy matter for him to supply the chorus twice for tragedies, for himself and his father, serve as Trierarch three consecutive years, make large contributions, build a house for five minae, and get more than three hundred plethra of land; and yet, besides all this, do you think he necessarily left many household effects? 30. But not even families of long-standing wealth could show much of value, for sometimes, no matter how desirous one may be, it is not possible to buy that which always gives pleasure to its possessor.

31. But consider this. Of others whose property you confiscated, not only did you sell no furniture, but the doors were torn from the houses. But when the confiscation had taken place, and my sister had left, we set a guard in the house, that neither the

doors, vases, nor anything else might be lost. And property of more than a thousand drachmae was reported, more than you ever took from any one else. 32. Besides, both formerly before the commissioners and now we wish to give a pledge, the greatest in use, that we have no money of Aristophanes, but he owes the dowry of my sister and seven minae, which he took from my father when he went off. 33. How then would men be more wretched than to be thought to hold the property of others, after loss of their own? And what is the worst of all, to receive a sister with many children, look after them, and have nothing for myself, if you take even what we have.

34. Come now, by the Olympian gods! Look at it in this light, gentlemen of the jury. If one of you happened to give to Timotheus, son of Conon, his daughter or sister, and when he was deprived of civil rights, and accused, his property was seized, and if, when all was sold, the city did not get four talents, on this account would you think it right to ruin his family and relatives, because the property turned out to be not even a fraction of what you thought it? 35. All of you here know that Conon was in command, and that Nicodemus executed his commands. It is likely that Conon gave part of the profits to some other, so if they thought Nicodemus had much, they would agree that Conon's share was ten times as much. 36. And still they seem never to have had any difference of opinion, so it is likely that they had the same ideas about money, namely, to have here sufficient for their sons, and to take the rest with them. For Conon had a son and wife in Cyprus, Nicodemus a wife and daughter, and they thought their property there to be as safe as that here. 37. And besides this, think, if some one who had not acquired his property,

but had inherited it from his father, distributed it to his sons, that he would have reserved the most for himself. For all with money prefer to be served by their children rather than ask it of them in poverty. 38. Now if you should confiscate the property of Timotheus, — and may it not happen, unless great good come to the state from it, — and should gain less from it than came from the property of Aristophanes, for this reason would you believe it right that his relatives should lose their property? 39. It is not likely, gentlemen of the jury. For the death of Conon and the will which he made in Cyprus clearly showed that his money was a very small part of what you expected, for to Athena and to Apollo in Delphi he dedicated five thousand staters. 40. And to his nephew who kept guard for him and had charge of his affairs in Cyprus, he gave ten thousand drachmae, and three talents to his brother; the rest, seventeen talents, he left to his son. The sum total is about forty talents. And no one can say that he was robbed or that a just return was not made. 41. For he made his will when in sickness, in his right mind. Now call me the witnesses.

WITNESSES.

42. Surely one would have thought, before both cases were shown, that the property of Nicophemus was a small fraction of that of Conon. Aristophanes purchased land and a house for more than five talents, supplied choruses for himself and his father for five thousand drachmae, and spent eighty minae as *Trierarch*. 43. And in taxes he contributed for both no less than forty minae, and for the expedition to Sicily he spent a hundred minae. For sending the triremes when the Cyprians came and you gave them ten

ships, for pay for the mercenaries and the purchase of arms, he furnished thirty thousand drachmae. The amount of this is a little less than fifteen talents.

44. So you do not charge me with reason, since the property of Aristophanes appears to be more than a third part of that of Conon, which is agreed was rightly reported by himself, though appearing to be much greater. And I do not reckon what Nicophemus had in Cyprus, where were his wife and daughter.

45. I do not believe, gentlemen of the jury, that you will ruin me after my producing such conclusive evidence. For I have heard from my father and other older men that both now and formerly you have been mistaken about the property of many men, and that many while living seem to be wealthy, and after death they turned out very different from what you supposed. 46. For example, every one supposed Ischomachus as long as he lived was worth more than seventy talents, as I hear; but each of his two sons had less than ten at his death. Stephanus, son of Thallus, was said to be worth more than fifty talents, but his property after his death proved to be about eleven talents. 47. The estate of Nicias was expected to be worth not less than a hundred talents, and much of it in ready money; but when Niceratus was dying, he said himself he was not leaving any gold or silver, and the house which he left to his son was not worth more than fourteen talents. 48. Again Callias, son of Hipponicus, at the recent death of his father seemed to have inherited more than any other Greek, but as he says, his grandfather valued (the property) at two hundred talents. His rateable property is really not worth two talents. You all know Cleophon, that for many years he managed all the finances of the state and was supposed to have much from the

government; but at his death there was no money, and the relatives and connections whom he left were confessedly poor men. 49. So we are evidently much deceived in regard to men of hereditary wealth and those who have recently become noted. And I think the reason is that one dares to say without sufficient grounds that so-and-so has many talents from the government. And I do not wonder at what they say about the dead (for they cannot be confuted by them), but at their attempt to deceive during their life. 50. For you yourselves lately heard in the assembly that Diotimus had forty talents more than he acknowledged from the ship captains and merchants; and no one tested him when he came bringing his accounts and feeling bad that he had been slandered in his absence, that too when the state was in need of money and he wished to give a statement. 51. Think now what would happen if after all Athens had heard that Diotimus had forty talents, he had met his fate before sailing home. Then his relatives would have been in greatest danger, if they had had to defend themselves against such a charge, not knowing any of the facts. These are responsible for your being mistaken about many, and unjustly ruining some, (these men) who rashly venture to speak falsely and wish to bring charges against others. 52. Then I suppose you know that Alcibiades was Strategus for four or five years, having prevailed over and conquered the Spartans, and the cities thought best to give him twice as much as to any other general, so that some thought he owned more than a hundred talents. But at his death he showed it was not the case, for he left a smaller estate to his children than he had received from his guardians.

53. That such things formerly happened is readily

seen; and they say the noblest and wisest are especially willing to change their opinions. If then I seem to speak to the point, and bring sufficient testimony, gentlemen of the jury, in every way favor me, as, although the accusation is so great, I believe I shall win with truth on my side; and if there is no way in which you are willing to be persuaded, there seems to be no hope for me. 54. But by the Olympian gods, gentlemen of the jury, be willing to save me with justice (on my side), rather than ruin me unjustly; and believe they speak the truth, who even in silence during their lives conduct themselves wisely and justly.

55. So in regard to the writ itself and how they became my connections and that his property was not enough for the voyage, but that he borrowed elsewhere, you have heard and testimony has been given you; but I wish to say a few words about myself. For I at thirty years of age never spoke wrongly to my father, nor has a citizen ever brought a charge against me, and though living near the market-place I was never seen in the court or assembly before this befell me. 56. So much I can say of myself, but of my father, since the charge has been made as if he were at fault, have patience if I declare what he spent for the state and his friends. And (it is not) in a spirit of boasting, but to prove that it is inconsistent with the character of a man to spend much unnecessarily and to wish to keep common property at greatest risk. 57. There are some who spend not only for this, but that they may gain twice as much if they are thought by you worthy to rule. My father never wished to be a leader, but he supplied all choruses, and was Trierarch seven times, and made many large contributions. That you may know this, each point will be read you.

LIST OF SERVICES.

58. Hear the number of them, gentlemen of the jury. For fifty years my father served the state with money, and in person. So in such a time, being thought wealthy from the start, it is natural that he shrank from no expense. Yet I will bring you witnesses.

WITNESSES.

59. The sum of all is nine talents and two thousand drachmae. Besides, privately he helped portion the daughters and sisters of some poor citizens, and ransomed some from the enemy, and furnished money for the burial of others. And this he did, believing it was a brave man's duty to help his friends, even if no one would learn of it; and now it is fitting that you should learn of it from me. Now call in this and that one.

WITNESSES.

60. You have heard the witnesses; remember that one could assume a character for a short time, but no one could elude detection for seventy years if a bad man. Against my father perhaps some could bring other charges, but no one, even an enemy, dared (to accuse him) about his money affairs. 61. Is it then right to trust the words of the accusers, rather than to the facts, (as to) what he did in all his life, and to time, which to be sure is the clearest test of truth? For if he had not been such a man, he would not have left so little from so much, since if you are deceived by these men and confiscate my property, you will get not two talents. So it is for your interest to acquit me not only because you think it right, but as a question of money, for you will be the gainers if I keep this. 62. And see how

many expenditures have been made in the past for the state, and now from what remains I am Trierarch, and my father died while Trierarch, and I shall endeavor, following his example, to give a small amount, little at a time, for the common weal. So in reality this (now) belongs to the state, and I shall not think I am wronged if deprived of it, but you will have greater benefit than if you confiscate it. 63. Besides this, it is fitting to bear in mind the nature of my father. For whatever he wished to spend beyond the necessities of life, it evidently was in a direction in which the city too would gain some honor. For example, when he served in the cavalry, he purchased horses, not only fine ones, but racers, with which he won at the Isthmian and Nemean games, so that the city was proclaimed and he crowned. So I beg you, gentlemen of the jury, bearing in mind these and all other words to protect me, and not to leave men in the power of their enemies. And so doing, you will vote justly, and for your own advantage.

ORATION XXII.

THE GRAIN DEALERS.

1. Many have come to me, gentlemen of the jury, expressing surprise that I have entered an accusation in the Boulè against the corn dealers, and saying that you, even if you think them ever so guilty, nevertheless think that those who bring charges against them are doing so from personal interest. Accordingly I first wish to show you why I was compelled to accuse them.

2. When the Prytanes reported them to the Boulè, feeling ran so high that some of the speakers said that without a trial they should be handed to the Eleven to be put to death. But I, thinking that it would be a terrible precedent for the Boulè to do this, rose and said that it seemed best to me to try the dealers by law, as I thought that if they had committed a capital crime you no less than we would know what was just, but if they were doing nothing wrong they need not die without a trial. 3. When the Boulè had agreed to this, some tried to slander me, saying I made these speeches for the safety of the dealers. Before the Boulè, since the preliminary trial was before them, I made a practical defense. For while the rest were sitting still, I got up and accused them, making it clear to all that I was not speaking in their behalf, but upholding the established laws. 4. I took up the matter on account of

this, fearing the charges. And I think it base to stop until you have voted what you wish.

5. First stand up and tell me whether you are a metic? Yes. Are you a metic on condition of obeying the laws of the city or doing what you please? On condition of obeying. Do you expect to escape death if you transgress the laws of which the penalty is death? I do not. Tell me then whether you confess that you bought more than the fifty measures of corn which the law allows. I bought it, advised to do so by the officers.

6. If he can show, gentlemen of the jury, that there is a law which permits dealers to buy corn when ordered to do so by the officers, acquit them. If not, it is just to condemn them. For we showed you the law which forbids any one in the city buying more than fifty measures of corn.

7. This, gentlemen of the jury, ought to end the accusation, since he admits that he bought corn and the law plainly forbids it, and you have sworn to give judgment according to law. But that you may be convinced that they are wrong about the officers I must say something further about them. 8. Since they made the charges against them let us call the officers and question them. Four of them say they know nothing about the matter. Anytus says that last winter when corn was high and the dealers were outbidding and fighting against one another, he counseled them to stop quarreling, thinking it was advantageous to you who buy from these that they should previously buy it as cheap as possible. For they must sell it not more than an obol dearer. 9. That he did not order them to buy the corn and store it up, but advised them not to fight with each other, I will Anytus as witness, and also that he said

these words last year and they have been proved guilty of engrossing corn this year.

DEPOSITION.

10. You have heard that they did not buy the corn because they were advised to do so by the officers. And I think if they really are speaking the truth about the corn inspectors they will not be defending themselves, but accusing them. Ought they not to be punished for offenses concerning which the law is expressly written — both those who do not obey and those who direct to do what is contrary to them?

11. But I do not think, gentlemen of the jury, that they will resort to this argument. Perhaps they will say, just as they did before the Boulè, that they bought the grain out of good will to the city, that you might buy it as cheaply as possible. I will give you the greatest and most evident proof that they lied. 12. They ought, if they bought the corn for your benefit, to have sold it many days for the same price, until the supply ran out; but in truth they sold it the same day at a drachma dearer as if they were buying it up by the medinnus. I will prove this to you by witnesses.

EVIDENCE.

13. I think it strange that when there is a tax to pay about which all men will know, they do not wish to do their share but plead poverty, but those offenses for which the penalty is death, and in which it was for their interest to escape detection, they say they committed out of good will to you. You all know that it is least fitting for them to make such a defense. For their interests and other men's are entirely different. They gain most when some disaster has be-

fallen the city and they sell the corn for a high price. 14. Thus when they see your misfortunes they are glad, so that they often hear of some before other people, and others they make up themselves; either the ships in the Pontus have been destroyed, or have been captured by the Lacedaemonians setting out, or that the market is closed, or that the truces are about to be made void; and they have come to such a pitch of enmity (15) that in these times they plot against you as if they were your enemies. When you chance to be in the greatest need of corn they heap it up and refuse to sell that we may not dispute about the price, but may think ourselves lucky if we manage to buy from them at any price whatever. So although there is peace we are besieged by these men. 16. Long ago the city came to have such an opinion of their evil doings and wickedness, that while for all the other trades you appointed clerks as inspectors, for this traffic alone you appointed corn inspectors; and on many of these you have inflicted heavy punishment, although they were citizens, because they were not able to stop these practices. Ought not, then, those doing this wrong to receive punishment at your hands when you kill those not able to restrain it?

17. You ought to know that it is impossible to acquit them. For if you acquit those who confess to making a corner against the merchants you will seem to plot against the merchants. If they made some other excuse no one would censure those acquitting them; for in such cases it is at your discretion to believe either way. But now if you set free those who confess that they have broken the law, would you not seem to be doing a strange thing? 18. Remember, gentlemen of the jury, that you have already condemned many accused of this crime who brought for-

ward witnesses, as you thought the assertion of the accusers more trustworthy. Would it not be strange if, judging about the same offenses, you were more desirous to take punishment from the guiltless?

19. I think, gentlemen of the jury, that it is plain to all, that cases against these men are of the most general interest to those in the city, so that they will learn what mind you have about them; for they will think if you condemn them that they must be more careful in future, whereas if you acquit them you will have voted them every opportunity of doing what they wish.

20. It is necessary to punish them, gentlemen of the jury, not only on account of the crimes which have been committed, but those that will be. For in that case (*acquittal*) they will scarcely be endurable. Remember that many in this business have been tried for their life. And so great are their profits from it that they prefer to run in danger of their life every day than to stop getting unlawful gain from you.

21. If they beseech you and entreat you, you should not justly pity them, but rather have compassion on the citizens who have been dying with hunger on account of their knavery, and the merchants against whom they combined. These you will please and make more zealous if you inflict punishment on the dealers. But if not, what opinion do you think they will have when they learn that you let off the retail dealers who themselves confess to plotting against the merchants?

22. I do not think I need say more. About other criminals you must be informed by the accuser, but about the knavery of these men you know everything. If you condemn them you will do what is just and make corn cheaper; if you acquit them you make it dearer.

ORATION XXIII.

PANCLEON.

1. I cannot say much, gentlemen of the jury, about this case in hand, nor does it seem to me to be necessary; but that I obtained leave to bring the suit against Pancleon, not of Plataea, this I will try to show you.

2. As he had continued for some time to injure me, I went to the fuller's shop where he worked, and summoned him before the polemarch, supposing him to be an alien. And when he said he was a Plataean, I asked from what deme he was, on the suggestion of a bystander that I should call him before the tribe to which he pretended to belong. And as he answered from Decelea, I summoned him before the judges of the tribe Hippothoontis; then I went to the barber's shop near the Hermae, (3) where the Deceleans congregate, and made inquiries, and whatever Deceleans I met I asked if they knew a man by the name of Pancleon from the deme Decelea. And when no one said he knew him, learning that he was defending some suits and had lost others before the polemarch, I too obtained suit against him there.

4. First then I will bring you as witnesses the Deceleans whom I inquired of, then those who have had suits against him before the polemarch, and convicted him, as many as are present. Now stop the water.

WITNESSES.

5. Following these, I obtained leave for the suit before the polemarch. But when he answered that the action was before the wrong court, wishing very much to seem to no one willing to act in a lawless manner rather than exact satisfaction for my wrongs. in the first place I asked Euthycritus, whom I knew to be the oldest of the Plataeans and supposed he would be most likely to know, if he was acquainted with a Plataean Pancleon, son of Hipparmodorus. 6. And then, when he answered that he knew Hipparmodorus, but he had no son, neither Pancleon nor any one else, I asked all the Plataeans I knew. None of these knew the name, but they said I should find out most accurately, if I should go into the new cheese market on the last day of the month, for on that day each month the Plataeans met there. 7. So going on that day to the cheese market, I asked them if they knew any citizen of theirs by the name of Pancleon. They all said they did not, except one, who said he knew of no citizen of this name, but said he had had a runaway slave, Pancleon, and the age and trade corresponded to this man's. 8. That this is the truth, I will bring in as witnesses Euthycritus, whom I asked first, and the rest of the Plataeans whom I approached, and the man who claims to be his master. Now shut off the water.

WITNESSES.

9. Not many days after this, I saw this Pancleon seized by Nicomedes, who had testified he was his master, and I went up to him, wishing to know what was to be done with him. Then after they ceased struggling, some of the witnesses said that he had a brother who would release him; then they gave securities to bring him to the market-place, and sep-

arated and went away. 10. The next day for the sake of his indictment (against me) and this suit, I thought I should be present (at court) with witnesses, in order to know who would release him and what he would say to get him off. Now as to the conditions on which he was released on bail, neither a brother nor any one else came, but a woman who claimed he was her slave, laying claim against Nicomedes, and she refused to let him take Pancleon. 11. It would be a long story to go through all which was said there; but his witnesses and this man himself reached such a pitch of violence that while Nicomedes and the woman were willing to give him up if any one should legally release him, or take him (into slavery) claiming to be his master, they did neither of these things, but seized him and left. That on the day before he had been bailed on these conditions and that they forcibly carried him off, I will furnish evidence to you. Now shut off the water.

WITNESSES.

12. It is easy to see that not even Pancleon thinks himself a free man, to say nothing of being a Plataean. For one who wished by being released by force to render his friends liable to action for forcible seizure, rather than to take the penalty from those trying to drag him into slavery after his release according to laws, every one would plainly know that as he knew himself to be a slave he feared after getting bail to contend for his freedom.

13. That he is far from being a Plataean, I think you are fairly convinced by these facts. And that not even this man, who best knows his own affairs, thinks that you think him to be a Plataean, you will see easily from what he did. For in the investigation of

the suit which this Aristodicus had against him, he objected to the suit being before the polemarch, and it was denied that he was a Plataean. 14. Then having brought suit against the witness, he did not carry it out, but allowed Aristodicus to defeat him. And when he was over time (in paying his fine), he discharged the debt at the best terms he could. And I will bring witnesses that this is true. Now shut off the water.

WITNESSES.

15. Before he had arranged with him, fearing Aristodicus, he left here and went to Thebes. And I think you know if he were a Plataean, he would probably have taken refuge anywhere else sooner than in Thebes. I will bring witnesses that he lived some time there. Now shut off the water.

WITNESSES.

16. I think I have said enough, gentlemen of the jury; for if you keep these things in mind, I am sure you will vote what is just and true, and what I beg of you.

ORATION XXIV.

THE CRIPPLE.

1. I am almost obliged to the accuser, members of the Boulè, because he has got up this suit. For I have not had any pretext on which to give an account of my life, but now I have seized this opportunity. And in my speech I will try to show that he is falsifying, and that up to this day I have lived rather to deserve praise than jealousy; for he seems to me to have trumped up this suit through nothing else than jealousy. 2. And from what kind of baseness do you think a man would abstain who grudges (giving to) those whom others pity? For not for money does he inform against me, nor seeks to punish me as a private enemy, for I never had any dealings with him as a friend or enemy. 3. Now then, members of the Boulè, he is evidently jealous, because in spite of this misfortune I am a better citizen than he. For I think, members of the Boulè, that necessarily misfortunes of the body are nobly remedied by pursuits of the mind. For if I have the disposition corresponding with this trouble, and conduct myself otherwise, how shall I differ from this man?

4. About these things let me speak as I have done, and about what it is my interest to speak, I will speak with as few words as possible. For the accuser says that it is not just for me to receive the

pension from the state, for I am sound of body and am not helpless, and understand a trade so as to live without (the pension). 5. And as proofs of my bodily strength he instances the fact that I ride horseback, and of my skill in my trade that I can associate with men able to be extravagant. I believe all of you are acquainted with my success in my trade and the rest of my livelihood, what it may be; yet I will mention these in few words. 6. My father left me nothing, and only within three years I have ceased supporting my mother as she died. I have no children to care for me. But I have a trade which can assist me a little, which I myself work at with difficulty, as I am not able to buy a slave to relieve me at it. I have no other income than this, and if you take it from me, I shall run the risk of coming into the hands of a cruel fate. 7. As you can help me justly, members of the Boulè, do not ruin unjustly. Do not take from me in my old age and weakness what you gave me when young and strong; do not receive harshly those who are pitied even by their enemies, when formerly you seemed to be most charitable to those that had no trouble. Do not have the heart to wrong me and so bring discouragement on others in like condition. 8. For it would be absurd, members of the Boulè, that if when I merely had this misfortune, then it appeared I was receiving this pension, and that now when old age and disease and their consequences had come upon me, then I should be deprived of it. 9. It seems to me that the accusers more clearly than any one else shows my utter poverty. For I should be appointed as choragus for tragedies and should call on him to exchange with me, he would prefer to be choragus ten times rather than exchange once with me. And is it not strange for him to charge me now

of being able through my success to associate on an equality with the wealthiest man, and to be so (poor) if anything of the sort should happen as I said? and even more wretched?

10. And about my horsemanship, which he dares mention to you, neither fearing fate nor ashamed before you, there is not much to say. For I knew, members of the Boulè, that all men having such a calamity seek something like this, and study this problem, how to manage their deformities with the least pain to themselves. I am one of these, and I hit upon this relief for my infirmities for the long journeys I am obliged to take. 11. It is easy to learn, members of the Boulè, what is the best proof that I ride on account of my infirmity and not from arrogance. For if I had wealth, I should ride on a cushioned saddle, and not on other people's horses; but now since I cannot buy such a one, I have to use other people's horses often. 12. Now is it not inconsistent, members of the Boulè, that this very man if he had seen me on a cushioned saddle would have held his peace, (for what could he have said?) but because I ride borrowed horses that he tries to persuade you that I am sound? And that I use two crutches while others use but one, (why does he) not charge me that this is a mark of sound men? But that I ride he uses as a proof to you that I am sound. But both of these I employ for the same reason.

13. He surpasses all in shamelessness so much that he tries to persuade you, he alone against so many (of you), that I am not a cripple. If he persuades any of you, members of the Boulè, what hinders my drawing lots for the nine archons, and your taking my obol from me as being sound, and giving it to him as a cripple? For surely you will not

take away a gift from a man as being sound while they prevent his drawing lots as being unsound.

14. But really you do not have the same opinion as this man, nor does he (hold it) in his better moments. For he comes here to dispute as if my infirmity were an inheritance, and he tries to persuade you that I am not such as you all see (me to be); but you, as if 15 right for reasonable men, trust the evidence of your own eyes rather than his words.

15. But he says I am insolent and violent and licentious in my disposition, just as if he were more likely to be speaking the truth if he calls dreadful names, but will not accomplish this if he speaks mildly and remains by the facts. But I think, members of the Boulè, that you clearly know what sort of men are apt to be insolent and what not. 16. For it is not likely that the poor and needy should be insolent, but those who have much more than they need; nor those who are infirm in body, but those who rely on their own strength; nor those well advanced in years, but those who are yet young and have youthful minds. 17. For the rich buy off dangers with their wealth, but the poor are forced to prudence by their lack of resources; and the young expect pardon from their elders, and both blame the old equally for lapses; (18) and it is for the strong without any cause to be insolent to whomsoever they wish, but it is not possible for the weak if insulted to defend themselves against those who provoke them, nor if they wish to be violent can they overcome their victims. So that the accuser seems to me to speak about my violence as a joke, not in earnest, not really wishing to persuade you that I am such, but wishing to make fun of me, as if doing a fine thing.

19. And besides he says that many men gather

about me who are of base character, who have lost their property and plan against those who wish to save their own (property). Remember all of you that in saying this he charges me no more than any who have trades, nor those who enter my shop more than those (who go into the shop) of other artisans.

20. For each of you has been in the habit of going, one to a perfume shop, another to the barber shop, one to a shoemaker's shop, others here and there, most of all to the shops set up near the market-place, and very few to those far from it. So if any of you charges those who come to my shop with bad conduct, evidently you charge those who frequent other men's shops, and if these, then all the Athenians; for you are all accustomed to go about and spend your time somewhere or other.

21. I do not know that I ought to weary you longer by accurately making my defense against each thing which has been said. For if I have spoken about the main points, why should I like him speak earnestly about trivial matters? But I beg you, members of the Boulè, to have the same mind toward me now as formerly.

22. Do not for this man strip me of the only thing which fate has given me in exchange for civil rights. Let him not alone persuade you to take back what you all gave me in common. For since, members of the Boulè, God has deprived us of the highest offices, the city voted this pension, thinking that the fortune should be alike for unfortunate and fortunate.

23. Should I not be most wretched if I should be deprived through this misfortune of the finest and best things, and through this accuser of what the city intended for those in this condition? Do not, members of the Boulè, pass this vote. For why should I find you of such a disposition?

24. Because some one in a trial ever lost his

property through me? But no one could prove that. Because I am meddlesome, and harsh and quarrelsome? But I do not chance to have such conditions of life for such actions. 25. But that I am violent and disorderly? But not even he would say that if he did not wish to lie about this as the other things. But that being in power in the reign of the Thirty I maltreated many of the citizens? But after the democracy I fled to Chalcis on the Euripus, and though I could have been a citizen among them without fear, I preferred to run my risk with you all. 26. And now, members of the Boulè, having done no wrong, may I not find you such towards me as to those who have committed many offenses, but cast the same vote for me that the other councils (have cast), remembering that I am not giving account of money of the state which I have managed, nor that I am not rendering an account of any office which I have held, but I am making the argument for an obol only. 27. And so you will understand the justice of the matter, and I with justice from you will have this favor, and this man for the future will learn not to plot against those weaker than himself, but to get ahead of men like himself.

ORATION XXV.

REPLY TO "THE OVERTHROW OF THE DEMOCRACY."

1. I can easily excuse your anger, gentlemen of the jury, as you hear such words and recall the past, towards all alike who remained in the town; but I wonder at the accusers who neglect their own interests to attend to other men's. And although clearly knowing who were guilty and who not, they try to persuade you to be angry at all of us. 2. If then they suppose they have made accusation about everything done by the Thirty to the state, I think they are unable to speak, for they have not told the smallest part of what they did. But if they make accusation about these as if it concerned me, I will prove that they are all wrong, and that I conducted myself as the best member of the Piraeus party would have done if he remained in the town. 3. I beg you, gentlemen of the jury, not to share the opinions of the informers. For it is their habit to charge men who are perfectly innocent, for they get the most from these, but it is your duty to give civil rights impartially to those who are upright; for so you would have the most adherents for the existing order of things. 4. And I beg you, gentlemen of the jury, if I shall prove I am the cause of no calamity, and have benefited the state in many ways, both in person and by contributions, that

I may obtain at your hands the favor which not only those who have done good work, but those who have done no wrong, should receive. 5. So I think it a great proof, that if the accusers could convict me of private wrong they would not accuse me of the crimes of the Thirty, and they would not think it necessary to accuse others of their deeds, but to provide the offenders themselves. But now they think the anger against them is sufficient to destroy even the innocent. 6. But I do not think it is just if persons have greatly aided the state, that others should gain honors and thanks from you, nor if any have injured (the state) that the innocent should be falsely accused and slandered on their account; for the present enemies of the state are sufficient and think it a great gain if men are unjustly slandered.

7. And I will try to show you what citizens I think are likely to favor an oligarchy and a democracy. For from this you too will know, and I shall make my defense by proving, that I have no reason to be ill-disposed to the state's interest, either on the ground of what I did under the oligarchy or the democracy. 8. Now in the first place, you must bear in mind that no one favors an oligarchical or a democratic form of government naturally, but whatever form of government is for a man's advantage, that one he wishes to establish. Hence it rests largely with you that as many as possible should be in favor of things as they now stand. And that this is so, is not difficult for you to see from the past. 9. For see, gentlemen of the jury, how often the leaders of both parties have changed. Did not Phrynichus and Peisander and the other demagogues of their party, after wronging you many times, in fear of the punishment resulting from their deeds, establish the first oligarchy, while many

of the Four Hundred united with the Piraeus party, and some of those who exiled them became themselves members of the Thirty? And some of those who enlisted for Eleusis started out with you and besieged their own party. 10. It is very easy to see, gentlemen of the jury, that the differences between men are not at all dependent on the form of government, but due to personal advantages. So you should examine citizens with this in view, considering what their political relations were, and inquiring what they gained by a change in conditions. In this way you will judge most fairly about them. 11. So I believe that the men who were dishonored under the democracy after rendering their accounts, or were deprived of property or suffered some other misfortune, (that these) are likely to desire a revolution, in the hope that the change will result to their advantage. But about the men who did much good for the state and no evil, to whom your thanks were due rather than punishment, (about these) you should accept no accusations, even if every one says they incline to the oligarchy. 12. To me, gentlemen of the jury, neither in private or public affairs did any disadvantage come on account of which I was anxious to exchange existing evils for a different form of government. For I have been trierarch five times, and four times I have been in naval engagements, and have paid many extra taxes in war, and have furnished the other contributions no less than other citizens. 13. Accordingly on this account I expended more than those appointed by the state, that I might stand better with you, and if any misfortune came to me that I could defend myself better. I was deprived of all advantages from these things under the oligarchy. For they did not think that those who had benefited the state should

gain favor from themselves, but they honored those who had injured you most, taking this as assurance from us. All should remember these things, and not trust the words of these men, but from the facts investigate what each man did. 14. For I, gentlemen of the jury, was not of the party of the Four Hundred. Let any one who wishes step out and confute me; nor indeed will any one prove that while the Thirty were in power I either took part in the government nor held any office. So if I was unwilling when I could hold office, I should receive your honor, but if those then in power did not allow me to share in the government, is it not evident that I prove the falsehoods of my accusers?

15. Besides, gentlemen of the jury, you should also consider the other things I did. For I conducted myself in the misfortunes of the state in such a way that if all had held the same ideas as I, no one of you would have met with any misfortune. For under the oligarchy no one will be shown to have been arrested by me, nor did I punish one of my enemies, nor reward a friend. 16. It is not right to wonder at this. For to act uprightly at that time was difficult, and easy for one who wished to do wrong. Besides, I shall not be proved to have enrolled any Athenian on the list, nor to have decided against any, nor to have become more wealthy from your failures. Accordingly if you are angry against those who are responsible for what has happened, it is fitting that you should consider those as noble men who have done no wrong. 17. Now, gentlemen of the jury, I think I have given the greatest pledge to the democracy about myself. For the man who made no slip when so great an opportunity offered is just the one who will be anxious to be of use, knowing well that if he (*I*) does wrong, he (*I*)

will pay the penalty at once. But I am always so disposed as not to desire a revolution in time of the oligarchy, and in the democracy to spend all I have zealously for your interests.

18. But I think, gentlemen of the jury, that it would not be just for you to hate those who under the oligarchy were not unfortunate, when you had reason for anger towards those who did not flee as your enemies, but rather those who banished you, and not those who were anxious to save their property, but those who robbed others, not those who remained in the town for their own safety, but those who wished to destroy others and share in authority. But if you think it necessary to destroy those whom they (*the oligarchy*) passed by in their career of wrong, no one of the citizens will be left out.

19. And from these considerations, gentlemen of the jury, you should reason, for you all know that in the former democracy many of the leaders of the state stole public funds, some accepted bribes while the state was in a critical state, and some by giving information made the allies revolt. And if the Thirty punished these alone, you would think them good men; but now because I thought the people were suffering from the wrong these men committed, you are angry, believing it to be a terrible thing that the wrongs of a few should come upon all the state.

20. So it is not right to use those measures in which you see they are wrong, nor to consider those things just when you inflict them on others, which you believe you suffered unjustly. But you are to have the same opinion about these when you come back to authority that you had about yourselves when in exile. For under these conditions you will bring about the greatest harmony, and the state will be in-

creased, and you will legislate to the greatest discomfiture of your enemies.

21. But you must remember, gentlemen of the jury, what happened in the time of the Thirty, that the mistakes of your enemies may make you legislate better for yourselves. For when you heard that the men in the town were of one opinion, you had small hope of returning, thinking that our harmony was the greatest hindrance in your exile; (22) but when you learned that three thousand were revolting, and the rest of the citizens had been banished from the town, and the Thirty were divided in opinion, more being anxious for you than acting against you, then you expected to return and punish your enemies. For you prayed the gods for just what you saw them doing, believing you would be saved through the baseness of the Thirty rather than return through the power of the exiles. 23. Therefore, gentlemen of the jury, you must in the light of previous experiences plan for the future, and believe those are most patriotic who wish to harmonize you, and abide by their oaths and pledges, thinking that this course of action is safest for the state, and the most unfortunate for their enemies. For nothing would be harder for them than this, to learn that we are sharing in authority, and to perceive that the citizens are on such terms that no accusation can be made among them. 24. But it is right to know, gentlemen of the jury, that the exiles wish to slander and dishonor as many of the other citizens as they can, in the hope that those wronged by you will become their allies, and they expect that the informers will stand well with you and come to great influence in the state. For they believe that their baseness is safety for themselves.

25. It is worth while to recall what was done after

the Four Hundred. For you will understand that what they advised never was for your advantage, but what I advise is for the lasting advantage of both forms of government. For you know, Epigenes and Demophanes and Cleisthenes as private citizens enjoyed the privileges of the state, but in their political career were responsible for the gravest errors. 26. For they persuaded you to condemn to death some without a trial, to confiscate unjustly the property of many, and to banish citizens and deprive them of their civil rights. For they were such men as to let the guilty go for a bribe, and to ruin the innocent by bringing information to you. And they did not cease until they brought the state to a state of confusion and utter ruin, and had raised themselves from poverty to wealth. 27. But you were in such a condition that you received the exiles, restored civil rights and swore to keep the peace. And finally you would more willingly have aided the informer in the democracy than the leaders in the oligarchy. Naturally too, gentlemen of the jury. For it is evident to all that the democracy arose from the unjust conduct of men in the oligarchy, and that the oligarchy was twice established because of the informers in the democracy. So there is no use in taking these men as counselors, for their advice has never been an aid. 28. And it should be realized that those of the Piraeus party who have the greatest reputation, and risked the most and benefited you most, advised the people to be faithful to their oaths and agreements, considering that this was the safeguard of the democracy. For it will bring security to the city party for the past, and for the Piraeus party their form of government will remain the longest time. 29. These are the ones you should trust with much more reason

than those who in exile were brought back through others and become informers on their return. But I think, gentlemen of the jury, that some of those who remained in the city evidently share my opinions, both under the democracy and the oligarchy, as many as are citizens. 30. And it is a matter for speculation what they would have done, had they been allowed to become members of the Thirty, as they now under a democracy do the same things as they (*the Thirty*), and suddenly became wealthy men, never giving any account of the many offices they hold, but they arouse suspicion instead of harmony, have declared war and not peace, and through them we have lost the confidence of the Greeks. 31. They are responsible for such evils and many others, and differ from the Thirty only that those during the oligarchy desired what these do, while these men under the democracy desire what those do, and both parties think it a duty to wrong whomsoever they wish, as if all other men were guilty, while they themselves were the noblest men. 32. Yet they are not so much to be wondered at as you, because you know the democracy exists, while that happens which they wish, and the men are punished, not who are wronging the people, but are not giving up their property. 33. And they would rather have the city small than great through others, considering that because of the dangers of the Piraeus party they can do what they please, and if you are afterwards aided by others they will injure these, while the former will gain greater power. So by this very fear they stand in the way if any advantage comes to you through others. 34. It is not hard to understand if one wishes; and these are not anxious to escape notice, but they are ashamed not to seem base, while you yourselves see and hear from others.

But we, gentlemen of the jury, think it our duty to abide by our agreements and oaths, and likewise when we see the guilty paying the penalty we pity them, remembering what was done, but when you clearly punish the innocent as the guilty, you will bring suspicion upon us all by the same vote.

ORATION XXVIII.

ERGOYLES.

1. The accusations are so many and so terrible, men of Athens, that I think Ergocles could not pay, even by several deaths, a sufficient penalty to the state for each of his deeds. For he is shown to have betrayed cities, wronged foreign residents and citizens, and from poverty raised himself to wealth from your resources. 2. And how could they obtain pardon, when you see your ships which they command dispersing through lack of funds, becoming few out of many, and these poor and needy men sailing in them and so quickly gaining the wealth of the citizens? It is for you, men of Athens, to be enraged against them; (3) for it would be strange if you yourselves, so burdened by taxes, should grant pardon to thieves and corrupt men now, but formerly, when your estates were large as well as the state revenue, you punished with death men who desired your property.

4. And I think you all are agreed if Thrasyboulus had announced to you he was going to sail out with triremes, and would hand over these old ones in place of new ones, and the risks would be yours, but the profits belong to his friends, and he would make you poorer through the tributes, but would make Ergocles and his followers the richest of citizens, no one of you would have trust him to have the ships and sail out. 5. Especially as soon as you passed a vote that he was

to keep account of the money taken from the cities, and that his fellow-commanders were to sail home to give their accounts, Ergocles said that you were extortionate and were holding to the old laws, and he advised Thrasyboulus to seize Byzantium, and to keep the ships, and marry the daughter of Seuthes. 6. "That you may thwart their extortions," he said, "for you will make them fear for themselves, and no longer sit at home plotting against you and your friends." So, fellow Athenians, as soon as they had their fill, and were enjoying what belonged to you, they considered themselves aliens of the state. 7. For as soon as they are rich they hate you, and they do not prepare themselves to obey, but to rule you, and fearing for what they have stolen, they are ready to seize fortified places, to set up an oligarchy, and to do everything to place you daily in the greatest danger; for thus they think that you will no longer pay attention to their offenses, but that, fearing for yourselves and the state, you will keep quiet in regard to them. 8. So Thrasyboulus, fellow Athenians (for I need to say nothing further about him), did well to die as he did; for it was not right for him to live planning such deeds, nor to be put to death at your hands after his former good services to you, but to be freed from the state as he was. 9. And we see these men on account of the assembly of day before yesterday not sparing their money, but trying to purchase their lives from the orators, and from their enemies, and from the Prytanes, and bribing many Athenians. Against this charge you should defend yourselves by punishing this man, and should show all men that there is not enough money to weaken you so that you do not punish offenders. 10. For remember, fellow Athenians, that this trial does not concern Ergocles

alone, but all the state. For now you will show your leaders whether it is necessary to be just, or whether, after stealing as much as possible of your funds, (they can) procure safety for themselves by the same means as they now attempt (to use). It is to be clearly known, fellow Athenians, (11) whoever in such lack of resources on your side either betrays cities, or embezzles funds, or bribes (others), is the sort of man to betray the walls and fleet to the enemy, and changes our democracy to an oligarchy. It is not right for you to submit to their schemes, but to establish a precedent to all men, and let no considerations of gain, compassion, or anything else be of more importance to you than their punishment.

12. I believe that Ergocles, fellow Athenians, will not attempt to defend himself about Halicarnassus, and his office, and what he has done, but he will say that he came from Phylè, and was on the democratic side, and shared your dangers. But I, fellow Athenians, think otherwise about these things. 13. But those who aim for freedom and justice, and wish to strengthen the laws, and hate wrong-doers I do not call bad citizens, nor do I say that the exile of the party may not be fairly taken into account; but against those who came down, and under the democracy annoyed the people, and increased their own estates from your resources, we should be more indignant than against the Thirty. 14. For these were elected for this very purpose, that they might injure you if possible; but to these men you entrusted yourselves, that they might make the city great and free. Nothing of the sort has resulted for you, but as far as these are concerned, you have been placed in greatest danger, so that there is more cause for pitying yourselves than them, and your children and wives, that

you are ill-treated by such fellows. 15. For when we have made up our minds that we are in safety, we suffer more from our leaders than from the enemy. Actually you all know that we have no hope of safety if once unsuccessful. So it is right for you to take courage and inflict the greatest penalty upon these men, and show the rest of Greece that you punish offenders, and you will make your leaders better. 16. This then is my advice to you; and it is necessary for you to know that if you follow my advice you will legislate wisely, and if not, the rest of the citizens will become baser. And besides, fellow Athenians, if you acquit them, they will not thank you, but the bribes they have given, and the money they have embezzled. 17. And moreover, men of Athens, the Halicarnassians and the others who have been swindled by them, if you inflict the severest penalty upon them, will think they were ruined by these fellows, but that you came to their aid; but if you acquit them, they will think you connived at their ill-treatment. So it is right for you to remember all these facts, and to favor your friends, and exact punishment from the offenders.

ORATION XXX.

NICOMACHUS.

1. It has been the case, gentlemen of the jury, that some men coming up for trial appeared guilty, and yet by showing the valor of their ancestors and their own services have obtained pardon from you. As you accept this from defendants, if they show they have performed any service to the state, I beg you also to listen to the prosecution, if they make evident the baseness of the defendant. 2. It would take too long to tell you that the father of Nicomachus was a public slave, and what sort of a life this man led when a young man, and what age he was when he was enrolled in his phratia; but while he was copyist of the laws, who does not know how he injured the state? For when he was commanded to transcribe the laws of Solon in four months, he made himself the lawgiver instead of Solon, and instead of four months he gave himself the office for six years, and while taking pay daily, he wrote some laws, and erased some. 3. He brought matters to such a pass that we had the laws dealt out to us by his hand, and plaintiffs and defendants quoted opposing laws in the courts, both claiming they derived them from Nicomachus. And although the Archons fined him and summoned him to court, he would not hand over the laws, and the city got into the greatest difficulties before he was deposed from his office and rendered

the account of what he had done. 4. And as he paid no penalty for that, what sort of an office has he now established for himself? He who has written for four years when he could have finished in thirty days? Then, though it was defined from what he was to copy, he took matters into his own hands, and while having so much in charge, he was the only official who did not render an account. 5. But others give in an account of their office according to the Prytany, but you, Nicomachus, did not think it necessary to send in yours for four years, but you think you alone of all the citizens can hold office for a long time, and not hand in an account, nor obey decrees, nor consider the laws, but here you write, and there you erase, and have reached such a pitch of arrogance as to think the property of the state is yours, although you are the state's slave. 6. Now it is necessary, gentlemen of the jury, for you to bear in mind who the ancestors of Nicomachus were, and how ungratefully he has treated you contrary to law, and to punish him, and as you did not exact the penalty for each offense, now punish him for them all. 7. And perhaps, gentlemen of the jury, since he cannot defend himself, he will try to slander me. It is only then I think you will believe what he says about me when in giving my defense I shall be unable to prove his. But if he tries to speak as (he did) in the Boulè, you will be told I was one of the Four Hundred. From the talk of these men, the Four Hundred will become more than a thousand. For slanderers bring this up against men who were children at that time, and those who were out of the city. 8. And I was so far from being one of the Four Hundred, that I was not even one of the Five Thousand. It seems to me to be a strange thing that if in a private suit I had so

plainly convicted him of ill-doing, he would not have thought of escaping by such a defense, but now when the trial is in regard to state affairs he thinks by accusing me to escape paying the penalty to you.

9. Besides, I think it strange that Nicomachus believes in trumping up old scores against others as offenders, when I shall show that he had plots against the people. Now hear me; for it is just, gentlemen of the jury, to receive such a defense in regard to such men as say now they are devoted to the people, when once they tried to ruin the people. 10. And when the revolution was being brought about at the defeat of the fleet, Cleophon charges the Boulè, claiming that it was conspiring and not acting for the best interests of the state. And Satyrus of Kephisia, a member of the Boulè, persuade the Boulè to bind him and throw him into prison. And they, wishing to destroy him, (11) and fearing that they might not kill him in prison, persuaded Nicomachides to bring up a law that the Boulè, too, must vote in judicial matters. And this basest of all men evidently joined the plot, and on the day of the trial produced the law. 12. One might accuse Cleophon, gentlemen of the jury, on other accounts; but all are agreed that the men who were bent on destroying the people wished above all to get him out of the way, and that Satyrus and Chremon, who were members of the Thirty, accused Cleophon not because they were incensed at him on your account, but that they might injure you after having put him to death. 13. And this they accomplished through the law which Nicomachus proposed. You should consider this, even as many of you as thought Cleophon a bad citizen, that perhaps some one of those put to death by the Thirty was base, but nevertheless that on account of such you should be angry at the

Thirty, that they killed these not for their crimes, but on party grounds. 14. If he defends himself on these grounds, remember this, that at such a crisis he produced the law by which the revolution occurred, and he aided those who destroyed the democracy, and made it possible for the Boulè of that time to vote on judicial matters, (the Boulè) in which Satyrus and Chremon had great influence, and Strombichides, and Calliades, and many other noble citizens perished.

15. I should not have spoken of these matters, had I not seen that he would try to get himself off with justice on his side as being a friend of the people, and that he would instance his exile as a proof of his good-will to the people. But I, too, can show others of those who joined in the plot against the democracy who have been put to death, some in exile, others deprived of civil rights, so he can have no credit for this. 16. For he contributed some part in exiling you, and it was the democracy which was the cause of his return. And it will be strange if you thank him for what he suffered against his will, and do not punish him for the wrongs he committed voluntarily.

17. And I hear that he says I am impious in abolishing sacrifices. If I had made the laws about the copying, I think Nicomachus might have made the charge against me; but now I claim his obedience to the common established laws. And I wonder if he does not remember, when he claims I am impious, and says the sacrifices must be made which are ordered on the tablets and pillars according to the summaries, that he accuses the city as well; for you voted on these things. Then if you think this is hard, then you must think those men did wrong who used to sacrifice by the tablets alone. 18. But truly, gentlemen of the jury, one should not learn about

piety from Nicomachus, but consider the facts. Our ancestors who sacrificed by the tablets made this the largest and most prosperous of the Greek cities, so it is right for you to perform the same sacrifices as they, if for nothing else, for the sake of the good fortune which resulted from those sacrifices. 19. How could any one be more pious than I who sacrifice first according to my family customs, then as befits the state, then what the people vote and we can pay for from our revenues. But you, Nicomachus, have done just the opposite; for by writing more than was prescribed you caused the revenues to be spent for these, and left nothing for the hereditary sacrifices. 20. For example, last year there were omitted sacrifices worth three talents of those due on the tablets. And it is not possible to say the city appropriations would not have been sufficient; for if he had not copied more by six talents, there would have been enough for the hereditary sacrifices, and the city would have had three talents left over. I will bring witnesses as to what has been said.

WITNESSES.

21. Remember now, gentlemen of the jury, that when we sacrifice according to the summaries, all the hereditary sacrifices are being attended to, and when according to his copy, many of the sacrifices are omitted. Yet this sacrilegious fellow runs around, saying that he copied for piety, not economy, and this does not suit you, he says to strike it off, and from this thinks to persuade you that he commits no offense, a man who spent in two years twelve talents more than he ought, and tried to get six talents a year out of the city, (22) and this, too, when he saw the state embarrassed for funds, the Spartans threat-

ening us when we did not send money, the Boeotians making reprisals on us because we could not pay two talents, the docks and the walls in need of repair. He knew, too, that the Boulè of the time being when it has sufficient money for managing affairs does not fail, but when it is embarrassed, it is forced to admit impeachments, and to confiscate the property of citizens, and to follow the advice of those speakers who give the worst counsel. 23. Gentlemen of the jury, it is not right to blame those who happen to be members of the Boulè at each session, but those who bring the state into such difficulty. Those who desire to plunder the state are interested to see how Nicomachus will come out; if you do not punish him, you will render them fearless; and if condemning him you shall punish him with death, by the same vote you will make the rest better, and exact the penalty from him. 24. And you should know, gentlemen of the jury, that it will be a warning to others not to dare to wrong you, not because you punish those who are not eloquent, but as you punish those who are. For who in this city is more liable to punishment than Nicomachus? Who has done less good or more harm to the city than he? 25. He, who, appointed commissioner of laws relating to private life and religious duties, tampered with both. You remember to have put many citizens to death for embezzlement. Yet they injured you only so much as for the time being, but this man, while transcribing the laws and making gain of the sacred money, injures the state for all time.

26. And why should any one acquit him? On the ground of his being a man brave against the enemy in many land and naval battles? But while you sailed off and risked yourselves, he remained here

and tampered with the laws of Solon. Because he has spent his money, and many, many contributions? But he never gave you anything, but took much of your revenue. 27. On account of his ancestry? For some formerly were pardoned by you on this account. But this man should die on his own account, and be sold as a slave on theirs. But that he will pay you if you spare him? He who has no remembrance of your former favors to him. For from a slave he became a citizen, from a pauper a rich man, from an under-copyist a commissioner. 28. One could accuse you that your ancestors chose as lawgivers a Solon, a Themistocles, and a Pericles, thinking that the laws would be like those who proposed them, while you (chose) a Tisamenus, son of Mechanion, and a Nicomachus, and other under-clerks; and you think offices are degraded by such men, and yet trust in them. 29. Here is the strangest thing of all; the same man may not be under-clerk twice in the same year, but you allow the same men to be in charge of the most important matters for a long time. And finally you chose Nicomachus commissioner of traditional laws, who has no part in the state on his father's side. 30. And the very one who ought to have decided for the people plainly joined in the plot against the democracy. Now you should regret what you have done, and not endure continuous injury at their hands, nor merely in private charge offenders, and then acquit them when you can punish them.

31. I have said enough of these matters, but I wish to say a few words about those who intend to beg him off. There are some ready to plead for him, both of his friends and those who manage state affairs. I am sure some of these would do better to defend their own deeds than to go out of their way to save of-

fenders. 32. And I think it remarkable, gentlemen of the jury, that they have not tried to persuade him, a man standing by himself, and in no way wronged by the state, that he must cease injuring you, but they are seeking to persuade you, who are so many and have been wronged by him, that you need not exact a penalty from him. 33. So, as you see these trying to save their friends so zealously, you should likewise punish your enemies, well knowing that these first of all will think you better men when you punish offenders. And bear in mind that neither Nicomachus nor any of his helpers has ever aided the state as much as he has wronged it, so that you have much more reason to punish him than to aid them. 34. These same men must realize that by entreating the accusers they in no way persuaded us, but have entered the court to tamper with your votes, and they hope by deceiving you to gain the liberty for the future of doing whatever they wish. 35. We refused to be bribed by them, and we call on you for the same, and hate baseness merely before the trial, but during the trial punish those who degrade your legislation. For in this way everything in the state will be managed in accordance with law.

ORATION XXXI.

AGAINST PHILON.

1. Until now I believed, gentlemen of the Boulè, that Philon would not come to such a point of daring, as to bring himself to appear before you for examination; but as he is audacious, not in one thing but many, and I have come to the council-house after taking oath to legislate for the state in the best possible way, (2) and it is contained in the oath (that one should) declare it if he knows that a man chosen for office is not fit to consult for the state, I will make this accusation against this Philon here, not indeed because I follow up any private enmity, nor rising among you because I am able and accustomed to speak, but realizing (*trusting in*) the number of his crimes, and believing I must be faithful to the oaths I have taken. 3. You will know that I am not so well prepared to bring proof against him as he was (when) he entered on his course of crime. Yet if I should omit some point in the accusation, he ought not justly to benefit from this, but rather should be rejected on ground of whatever I prove satisfactorily. 4. For I shall speak insufficiently on account of my lack of acquaintance with all he has done, but adequately so far as the evil goes which attaches to him. But I beg you, as many of you as are better speakers than I, to declare that his sins are (even) greater, and out of what I leave unsaid you are to accuse Philon about

what you yourselves know. For you should decide upon his character not alone from what I may say.

5. For I mean that it is not right for any to legislate for us, except those who besides being citizens are really interested in being such. For with such the difference is great between a prosperous and an unsuccessful condition of this state, because they think they must bear their share of evil as well as good.

6. But as many as are citizens by birth, but believe that the whole earth is their country in which they have property, it is evident that these would disregard the common welfare of the state, and turn their attention to their personal advantage, because they consider not the state, but their property their country. 7. So I will show that this Philon has cared more for his personal safety than for the common danger of the commonwealth, and that he thinks it better for him to live his life without danger than for the state to be in safety, even while endangering other citizens.

8. When misfortune came to the state, members of the Boulè, — I will mention this only as far as is necessary, — this man was drafted from the city by the Thirty with the rest of the citizens and for a time lived outside, but when the party from Phylè marched on the Piræus, and men from the country as well as those in exile joined forces either in the town or at the Piræus, and brought what aid each could to his country, this man took just the opposite course from the rest of the citizens. 9. For he packed up his possessions and went into a country not his own, and paid the alien's tax in Oropos and lived under a patron, preferring to be an alien there rather than be a citizen with us. Then, not like some of the citizens who changed parties when they saw the men from Phylè were successful in their attempts, did he claim to

share in their successes, but he wished to come after all was over rather than come with them and unite in what was for the common advantage of the state. For he did not come to the Piraeus, nor offer himself to you to be appointed for military duty. 10. And while he dared betray us in our success, what would he have done, if we had been unsuccessful? Those who did not share in the risk to the state through some personal misfortune, should be excused, for such failure is involuntary; (11) but those who pursued this course of action on purpose are not to be pardoned, for they did so, not through misfortune but by design. And it is agreed by all men that for the same trespasses we should be most of all angry at those who are perfectly able not to commit a wrong, but excuse those who are poor or infirm, because we consider they sin involuntarily. 12. But this man should have no excuse; for he is neither a cripple and so unable to work, as you see, nor (unable) to contribute money as if poor, as I shall show. How should not a man be hated with reason by you if he put the same energy into being wicked that he might have used aiding you? 13. And you will not incur the hatred of any of the citizens by rejecting this man; for he evidently betrayed not one party, but both, so that it appears he is not liked either by the city party, — for he did not consent to go into danger with them — nor by those who took the Piraeus, — for he would not move with them. 14. If then any of the citizens are left over who had the same experiences as his, let him claim to legislate in their company, if they ever, — which Heaven forbid, — take the state.

So that he took up his residence in Oropos under a patron and gained sufficient property, and neither took arms in the town nor in the Piraeus, that you

may know that these first things which I affirm are true, hear the witnesses.

WITNESSES.

15. Then it remains for him to say that he was incapacitated through some weakness of body from helping against the Piraeus, but that he offered from his resources either to give money to the majority of you or to arm some of his fellow-citizens, just as other citizens (do) who are unable to serve personally. 16. That it may not be possible for him to deceive us by lying, I will show you plainly about this too, since it will not be possible for me afterwards to convict him, if I pass this by. Now call for me Diotimus of Acharnae, and those chosen with him to arm the citizens from the money contributed.

EVIDENCE OF THOSE CHOSEN WITH DIOTIMUS.

17. This man then did not think how he might benefit the state in so critical a condition of the state, but made every preparation to make some gain from your misfortunes. For he started at Oropos at one time by himself, and at another at the head of men to whom your bad fortune was a series of benefits, (18) and went about through the country and met the older citizens who remained in their demes with few possessions, and those the bare necessities, men who were in sympathy with the government, but were incapacitated for active service on account of their age, and he robbed these men of their goods and thought nothing of wronging them if he could gain even a little. These men are now unable to prosecute him for the very reason which kept them from aiding the state then. 19. So it is not right that he should gain advantage twice from their inability, once when

he robbed them of their possessions, and now while under examination at your hands. But if any one of those wronged shall come, consider it a great point, and feel the greatest hatred for this man, who dared to rob of their goods the very men whom other men through pity have chosen as objects of charity. Call me the witnesses.

WITNESSES.

20. I do not know why you should feel differently about him from his relatives. For (their feelings) are such that if he had done no other wrong, it would be right to refuse him the examination on account of them alone. I will pass over the accusations which his mother made during her life. It is easy for you to infer from what she did at the close of her life, how her son conducted himself towards her. 21. For she did not dare trust herself to him at death, but gave to Antiphanes who was not a relative, but whom she trusted, three minae of silver for her burial, disregarding her own son. So is it not evident that she knew well that he would not do his duty even to a relative? 22. Then if a mother, who naturally endures the wrongs put upon her by her children and thinks she has great returns from them even if they render only a slight service, because she judges what happens rather by her natural mother-love than by any cold-blooded standard, (if she then) thought her son would rob her at death, what should be your judgment about him? 23. For what would a man do to those who were not connected with him if he commits such offenses against his own relatives? That this is true, hear the man who took the silver and buried her.

EVIDENCE.

24. How then could you allow him to pass? As if he had done no wrong? But he has been guilty of the greatest offenses against his country. That he will improve? Then let him improve first and afterwards go into political life; after he has done something as manifestly good as his evil deeds were bad in the past. It is more prudent to show gratitude for all his deeds, for it seems to me a dreadful thing if he shall escape punishment for his past offenses and be rewarded for his good intentions. 25. But perhaps he should be examined that the citizens may be nobler if they see all honored alike! But there is danger that if the good see the bad held in equal honor they will cease from their upright mode of life, thinking it is the same thing to honor bad men and pass by the good. 26. But this is to be remembered, that if any one betrays a stronghold or ships or a camp, in which there chance to be any citizens, he receives the extreme penalty, while this man who betrayed the whole city is planning not for punishment but for reward. So one who betrayed freedom as evidently as this man did would justly be contending not for political office, but against slavery and the greatest penalties.

27. But I hear that he says that if it was wrong that he was not at hand at that time, that a law would have expressly stated it, as about other transgressions. For he does not think you will know that no law was written about it on account of the enormity of the offense. For what statesman ever thought of such a thing, or what lawgiver ever supposed a citizen would commit such an offense? 28. For I suppose we are to think if a man left the ranks not while his country was in danger, but while she was acting on the offensive, that a law would be framed which condemned

him as guilty, but if he left the ranks while his country was in danger, the law would not be framed. The fact is that such a law would have been made, if any one had supposed that a citizen would commit such a deed. 29. But who would not justly blame you if you reward the metics for aiding the state as they were expected to, but do not punish this man for betraying the state contrary to what was expected of him, if not by some greater penalty, at least by the present dishonor? 30. But call to mind the reasons which lead you to honor those men who were brave in relation to the city and to punish those who were not. For both these lines of conduct were followed as a sort of warning, not so much for the past as for the future, that men may become good for some good reason, and by no means attempt to be bad. 31. And besides, think how this man would probably regard his oaths, if he actually betrayed his country's gods. Or how would he make any useful law for the constitution, if he wished his country to be deprived of her freedom? Or how would he keep secret engagements, if he thought it right to disregard the regularly appointed ones? How can it be probable that this man who never entered danger even behind others, should be foremost in action and so now be worthy of honor? But it would be a shame, if he cared nothing for all the citizens while he is the one man whom you do not reject.

32. But I see some who now are in readiness to help him and beseech you, since they cannot persuade you; but then, when yours were the dangers and struggle and the prize was the democracy, and when you had to take counsel not merely for legislation, but for freedom, then they did not ask him to aid you and the commonwealth, and not betray the

country and the senate in which he now claims a seat, though he has no share in it since others did the work. 33. Members of the Boulè, he should not be angry if he does not obtain this honor; for it is not you who dishonor him, but he robbed himself at the time when he did not think it best to establish himself among you as if contending for the senate as zealously as he now comes as a candidate.

34. I think I have said enough, though leaving much unsaid. But I trust that you yourselves will know without anything more what is for the interest of the state. For you need not take any evidence but your own about those who are worthy to legislate, as many of you as have passed the examination for the state. For his conduct is an unprecedented warning and contrary to all democracy.

ORATION XXXII.

DIOGEITON.

1. If the points in dispute, gentlemen of the jury, were not great, I should not have allowed these to come to you to court, believing it a disgrace to have differences with one's relatives, and knowing that both such offenders seem to you to be all the worse, and those who cannot bear to be ill-treated by their relatives. But then, gentlemen of the jury, these have been defrauded of much money, and have suffered terribly at the hands of those for whom it was least proper, and they have appealed to me, their brother-in-law, and so I must speak in their behalf.

2. I married their sister, a granddaughter of Diogeiton, and having asked both of them many times, at first I persuaded them to entrust the case to friends, thinking it important that outsiders should not know of their affairs. But when Diogeiton could not bring himself to trust to any of his friends (to decide) about that which he had plainly been proved to hold, but preferred to defend suits, and to bring them if they were not brought (against him), and to run the greatest risks rather than by doing justice be rid of the charges in regard to them, (3) I beg of you, if I shall prove that they were treated under the guardianship of their grandfather worse than any one ever was in the city even by those not related, (I beg of you) to assist them to get justice, and if I do not prove it,

trust him in everything, and believe me wrong hereafter. I will try to tell you the whole story.

4. There were (two) brothers, gentlemen of the jury, Diodotus and Diogeiton, with the same father and mother, and they divided the ready money, and shared in the real estate. Now Diodotus made much money in business, and Diogeiton persuaded him to marry his only daughter, and they had two sons and a daughter. 5. Some time after this, Diodotus, having enlisted with Thrasyllus in the infantry, called his wife, who was his niece, and her father, who was his own father-in-law and son of the same father, the grandfather and uncle of his little ones, and thinking on account of these ties he could entrust his children to no one's care more fittingly, he made a compact with him, and deposited with him five talents of silver. 6. And he showed lent out on bottomry seven talents and forty minae, and two thousand (drachmae) invested in the Chersonesus. And he provided in case of his death a talent to be given to his wife together with the household goods, and a talent to his daughter. And he left for his wife twenty minae and thirty Cyzicene staters. 7. After doing this, and leaving schedules at home, he went to join Thrasyllus.

And when he died in Ephesus, Diogeiton concealed his death from his daughter, and took the documents which he had left sealed, claiming that he must collect by these papers the money lent out on bottomry. 8. And when after a time he told them of his death, and they had performed the customary rites, for the first year they lived in Piraeus, for their store of provisions had been left there. But when these began to give out, he sent the sons up to the city, and married off their mother, giving her (as dowry) five thousand drachmae, a thousand less than her husband had

appointed for her. 9. Eight years after this the elder of the boys passed his examination (*became a citizen*), and Diogeiton summoned them and said that their father had left them twenty silver minae and thirty staters. "So I have spent much of my own property for bringing you up. And as long as I had money, it made no difference to me; but now I myself am short of funds. So you, as you are of age and have become a citizen, are to look out to get your own living."

10. After they heard this they were surprised, and went weeping to their mother, and taking her with them they came to me, feeling terribly bitter because of their trouble, and (really) miserably turned out of doors. With tears they called on me not to allow them to be cheated out of their inheritance and made paupers, cruelly treated by one who ought least of all (to have done it), but to aid them both for my wife's sake and their own.

11. It were a long story to tell you the sorrow in my house during that time. Finally their mother begged and entreated me to bring together her father and their friends, saying that, although formerly unaccustomed to speak before men, the magnitude of her misfortunes compelled her to declare to us all their miseries. 12. And in my indignation I went to Hegemon who had married the daughter of this (Diogeiton), and I went into the matter with other interested persons, and summoned him (*Diogeiton*) to an examination on what he had done. At first Diogeiton was unwilling, but at last was compelled by his friends. And when we had assembled, the woman asked him in what possible spirit (*how he had the heart to*) he had treated the boys so, "being (as you are) their father's brother, my father, and both uncle and grandfather to them. 13. And if you feel no shame before men, you ought

to fear the gods," she said, "for when he sailed away you took five talents which he had deposited (with you). And for (the truth of) these things, I am willing to imprecate my children, both these and those I have had later, wherever you may please. Truly I am not so wretched nor think so much of money as to die having sworn falsely on my children, and take away unjustly the property of my father." 14. Then she proved that he had received seven talents four thousand drachmae, and she showed the accounts of this. For in changing residence, when he moved from Collytus to the house of Phaedrus, the boys found an account-book which had been thrown away, and brought it to her. 15. This proved that he had received a hundred minae loaned out on interest on a mortgage, and two thousand drachmae, and valuable furniture; also there came in every year corn from the Chersonesus. "And then did you go so far," she said, "with so much money in your possession, as to say that their father left (only) two thousand drachmae and thirty staters, the very amount which I inherited at his death and gave over to you? 16. And you even thrust out of their own house these grandsons of yours, thinly clad, barefooted, without an attendant, without beds, without cloaks, without the furniture their father had left them, without the deposit he entrusted to you. 17. And now you are supporting at great expense the children of my stepmother, happy children; and in this you do well, but you are wronging my children, whom you have driven from the house, and try to make out that they are poor instead of rich. And in such deeds you neither fear the gods, nor are ashamed before me, your daughter, who understand you, nor do you remember your brother, but care for your brother more than every-

thing else." 18. Then, gentlemen of the jury, as so many dreadful charges were made by this woman, all of us who were present were greatly affected by what he had done, and by her words, as we saw what the boys had suffered, and realized how unworthy a guardian of the property the dead had left. Then feeling how difficult it was to find a worthy person to entrust one's affairs to, no one of those present, gentlemen of the jury, could speak, but went off in silence, weeping no less than the sufferers. So first let the witnesses come in.

EVIDENCE.

19. I ask you now, gentlemen of the jury, to hear my calculation, that you may pity the boys for the magnitude of their misfortunes, and think this man most deserving of your anger. For Diogeiton causes all men to suspect one another, so as to trust neither the living nor the dead, nor one's dearest ones more than one's enemies. 20. For he had the hardihood to deny some of the facts, but finally acknowledged part, and showed the receipts and expenses for the boys and their sister for eight years, amounting to seven silver talents and four thousand drachmae. And he became so shameless, that not being able to account for the money, he charged five obols a day for the living of the boys and their sister, and he made no itemized account for shoes and clothing, and the barber either by the month or year, but made the sum-total amount to more than one talent of silver. 21. And while not spending more than twenty-five minae of the five thousand drachmae charged for their father's monument, he charged half that amount to himself, and half to them. And for the festival of Dionysus, gentlemen of the jury, (for I think it not

out of place to call this to your minds,) he entered a lamb as costing sixteen drachmae, and charged the children with eight; at this we were the most indignant. So, my friends, in great losses often the minor wrongs trouble those who are injured no less (than more important ones), for they show all too plainly the baseness of the offenders. 22. Then for other festivals and sacrifices he charged to them more than four thousand drachmae, and there were other large charges made, which were reckoned to make out the amount, as if he had been made the children's guardian for this, that he might show them accounts instead of money, and make up that they were poor and not rich, and that, if they had any hereditary enemy, they might forget him, and only contend with their guardian being bereft of their patrimony.

23. If he had wanted to be just to the children, according to the laws which exist about (the treatment of) orphans for the guidance of guardians with and without property, he could have farmed out the estate (thus) getting rid of all trouble, or bought land, and brought up the children on the income from it. Whichever course he followed, they would have been as rich as any Athenian. But now he seems to me never to have taken any thought of securing the property, but to keep it for himself, thinking that his baseness should be the dead man's heir.

24. Here is the worst count of all, gentlemen of the jury. For he, while sharing as Trierarch with Alexis, the son of Aristodicus, claimed that he had contributed forty-eight minae, and charged half of this to these orphan children, whom the state has made exempt, not only because they are children, but that when they are of age they are released from liturgies

for a year. But this man, their grandfather, illegally exacts from the children of his own daughter half of his contribution as Trierarch. 25. And having sent to Adria a merchant-ship worth two talents, he told their mother when he despatched it, that the risk was the children's, but when it arrived in safety and doubled its value, he said the profit was his own. And yet, if he puts down their losses, and takes himself what is saved, he will find no difficulty in setting down on the account what has been spent, and will easily become rich himself from the money which does not belong to him. 26. It would be too much, gentlemen of the jury, to go through the accounts point by point; but when with some difficulty I got the accounts from him, in the presence of witnesses I asked Aristodicus, the brother of Alexis, for he had died, if he had any record of the trierarchy. He said he had, and going to his house we found that Diogeiton had given over to him (*Alexis*) twenty-four minae for the trierarchy. 27. The whole expense was here shown to have been forty-eight minae, so that he charged them with what his whole expense had been. And what do you think could have been his conduct in matters of which no one had any knowledge but himself, and which he managed alone, when in transactions which were carried on through others, and were not difficult to find out, he had the hardihood to cheat his daughter's children out of twenty-four minae. Now bring in the witnesses.

WITNESSES.

28. You have heard the witnesses, gentlemen of the jury. Now taking as a basis the money which he finally acknowledged to have, I will reckon from that, taking no income into account, but spending

from the principal. I will allow what no one in the city does, for the two boys, their sister, teacher, and maid a thousand drachmae a year, a little less than three drachmae a day, amounting in eight years to eight thousand drachmae, (29) which shows a balance of six talents from the seven talents twenty minae. For he could not show that he has lost to pirates nor suffered loss, nor paid creditors (for the father).

ORATION XXXIII.

PANEGYRIC.

1. For many noble deeds, my friends, it is well to commemorate Heracles, but especially because he was the founder of these games through his good-will to Greece. For at that time cities lived in enmity one with another; (2) but then that (hero) slew the tyrants, punished the arrogant, and established this contest of strength, emulation of wealth, and exhibition of mind in this most beautiful spot in Greece, that for all these things we might assemble together, to witness and to hear. For he believed that concourse here would be the starting-point for a common friendship among the Greeks. 3. He then conceived the plan, and I am here not to quibble or juggle with words. For this I believe is the part of useless sophists needing to make a living, but it is for a brave man and worthy citizen to speak for the highest good, seeing how low lies Greece, much in the power of the barbarian, many cities under the foot of tyrants. 4. And had we suffered this through weakness, we should have to put up with our fate; but as (it resulted) from seditions and wrangling among ourselves, why should we not put an end to these things and check them, knowing that it is for those who are successful to love quarrels, but for the unfortunate to have the clearest ideas about conduct? 5. For we see great dangers threatening on all sides, and you know

that power belongs to the rulers of the sea, and the king holds the treasure and the lives of such Greeks as can be bought, and he has many ships, and many, too, the tyrant of Sicily. 6. So it is best to cease our quarrels with one another, and with one purpose cling to our liberties, feeling shame for our past, and fear for the future, and imitate our ancestors who took from the barbarians their liberty while they were plotting against that of other men, and drove forth the tyrants, and established equal freedom for all. 7. And most of all I wonder with what mind the Spartans watch the conflagration of Greece, they who are not unjustly the leaders of the Greeks through their inborn valor and knowledge of military affairs, who are the only ones who live unsacked, without walls, with no factions, unconquerable, with no change of customs. For these reasons there is hope that they have imperishable freedom, and as in past dangers they were the saviors of Greece that they will be seen as such for the future. 8. No future time is better than the present. For there is no need of regarding the misfortunes of those who have perished as concerning others, but ourselves, and not wait until the forces of both come upon us in person, but while we can, check their arrogance. 9. For who would not feel alarm, seeing them gaining in importance in the war with each other? And in these disgraceful and terrible circumstances those who have been so greatly at fault have every advantage from what has occurred, while the Greeks (have) no means of redress.

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